

OFFICIAL GAZETTE

GOVERNMENT OF GOA

EXTRAORDINARY

GOVERNMENT OF GOA

Department of Education, Art & Culture
Directorate of Education

Notification

ACAD/MISC-41/93/4455

The following draft of the Goa School Education Rules, 1998, which the Government proposes to make, is hereby published as required by Sub-Section of Section 29 of the Goa, Daman and Diu School Education Act, 1984 (Act 15 of 1985), for information of all persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration by the Government on the expiry of thirty days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft Rules may be forwarded to the Director of School Education and ex-officio Joint Secretary to the Government of Goa, Panaji, before the expiry of 30 days from the date of publication of this Notification in the Official Gazette.

Rinku Khirwar, Director of Education.

Panaji, 2nd February, 2000.

DRAFT RULES

In exercise of the powers conferred by section 29 of the Goa, Daman and Diu School Education Act, 1984 (Act 15 of 1985), and in supersession of the existing rules in this regard, the Government of Goa hereby makes the following rules, namely

CHAPTER I

PRELIMINARY

1. *Short title and commencement.*— (1) These rules may be called the Goa School Education Rules, 1998.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. *Definitions* — In these rules, unless the context otherwise requires:—

(a) "Act" means the Goa, Daman and Diu School Education Act, 1984 (Act 15 of 1985), as amended from time to time;

(b) "Assistant Director of School Education of the Zone" means the officer-in-charge of the Zonal Education Office;

(c) "Boys School" means a school in which ordinarily only boys are admitted;

(d) "Director of School Education" means the Director of Education of the Government;

(e) "Girls School" means a school in which ordinarily only girls are admitted;

(f) "Government" means the Government of Goa;

(g) "Head of the School" means a person known by designation as Headmaster or Headmistress of a school upto a secondary stage, and as Principal of a higher secondary school;

(h) "Higher/Senior Secondary stage" means a stage of school education in Standard XI and XII under 10+2+3 pattern;

(i) "Middle stage" means a stage of school education from standard V to standard VII;

(j) "Night School" means a school which functions for half the daily working teaching hours of a day school, for those pupils who are unable, by their daily avocations, to attend a day school;

(k) "Pre-Primary stage" means a stage of school education below the primary stage;

(l) "Primary stage" means a stage of school education from standard I to standard IV;

(m) "School" means a recognised pre-primary, primary, middle, secondary, higher secondary, night secondary and night higher secondary school, Primary Teacher's Training Institute, Technical High School, Special Language Institution or Art School as per context under these rules;

(n) "Secondary stage" means a stage of school education from standard VIII to standard X;

(o) "Teacher" means a person who possesses the prescribed academic qualifications and has acquired a degree or diploma in teaching from any university or from any State Government or any such training course as may be recognised by the Government of India and the National Council for Teacher Education (NCTE) as training qualification for a teaching post at the pre-primary, primary, middle, secondary or higher secondary stage, as the case may be.

CHAPTER II

REGULATION OF EDUCATION

3. *Administration of Education.*—(1) The Government, by an order, shall divide the State of Goa into such number of Educational Zones as may be felt necessary for regulation of educational administration therein.

(2) The Government may, by an order, further divide each of the Educational Zones into Educational Talukas for administrative convenience and control of education.

(3) The Government may, by an order alter the number of Educational Zones and Educational Talukas or their regional limits, if it is felt necessary to do so, for administration, control and supervision.

4. *Classification of Institutions.*—(1) All schools in the State shall be classified into the following:—

(i) Pre-primary Schools i.e. schools imparting education below the primary stage;

(ii) Primary Schools i.e. those schools which impart education for any or all classes from Standard I to Standard IV, with or without any recognised pre-primary classes;

(iii) Middle Schools i.e. those schools which impart education for any or all classes from Standard V to Standard VII, with or without any recognised primary classes;

(iv) Secondary Schools i.e. those schools which impart education for any or all classes from Standard VIII to Standard X with or without any recognised middle and primary classes;

(v) Higher Secondary Schools i.e. those schools which impart education for any or all classes from Standard XI to Standard XII, with or without any recognised secondary and middle classes;

(vi) Primary Teachers' Training Institutions i.e. those institutions which conduct teacher training courses specified by the Government for the purpose of recruitment at the primary and middle stages of education;

(vii) Special Language Institutions i.e. those recognised schools which impart instruction on part-time or full-time basis, for preparing students for such examinations as are recognised by Government of India or any State Government, in one or more of the following languages:—

Konkani, Marathi, Hindi, Sanskrit, Arabic, Persian, Portuguese or any other language, the learning of which is desired to be promoted by the Government of India or the State Government.

5. *Curriculum and Syllabus.*—(1) The Directorate of Education shall prepare and recommend to the Government the courses of studies for:—

(i) General education upto Standard VII;

(ii) Primary Teachers' Training Institutions;

(iii) Special Language Institutions;

(iv) Any other institutions as may be deemed necessary and as directed by the Government.

(2) The Government shall suitably adopt the syllabi and courses of studies as prepared and recommended by the Goa Board of Secondary and Higher Secondary Education, for the secondary and higher secondary stage of education in this State.

6. *Preparation of Text Books.*—(1) The Government shall as far as possible, arrange to prepare and publish all the text books required upto Standard VII

(2) The Goa Board of Secondary and Higher Secondary Education shall arrange to prescribe the text-books for the secondary and higher secondary stage of education.

7. *Powers of Government to control courses of study.*—The Government, if found necessary to do so, shall at any time and for any stage prescribe or withdraw any topics of study of any of the courses as well as textbooks of any classes.

8. *Medium of Instruction:*—

(A) *Pre-primary and Primary Stage.*—(1) The medium of instruction at the pre-primary and primary stage shall be in any vernacular language which is the mother tongue of the children.

(2) The mother tongue of the child is to be declared in writing by the parent or the guardian at the time of admission of the child in the school.

(3) The Director of School Education shall arrange to provide primary education through the medium of any vernacular language through the Assistant Director of School Education of the Zone if there is minimum enrolment of twenty children seeking education through that language. The Government may by order relax this limit of minimum enrolment as may be deemed necessary.

(4) A child shall be permitted to enrol in a school where the medium of instruction is different from the mother tongue of that child, if the parent or guardian as the case may be, so desires.

(B) *Middle Stage and Secondary Stage.*—(1) The medium of instruction at middle and secondary stage shall be a vernacular language or English.

(2) If in a school there is a minimum of twenty students who desire instruction through an Indian language which is other than the medium of instruction in that school, then the Assistant Director of School Education of the Zone after having been satisfied about the feasibility, shall recommend the opening of separate division/s in that school to arrange to provide instruction through that Indian language. The decision of the Director of School Education is final in the matter.

(C) *Higher Secondary Stage.*—The medium of instruction at the higher secondary stage shall be an Indian language or English.

(D) *Other Institutions.*—The medium of instruction in all other institutions mentioned at rule 4 (vi) and (vii) shall be any Indian Language or English. For a Special Language Institution, the medium of instruction may be the language taught in that institution.

9. *Right of a Linguistic Minority.*— (1) Any linguistic minority which intends to set up school/s with the object of imparting education through the mother tongue of such a linguistic minority, shall be entitled to receive grant-in-aid, if all other conditions in respect of entitlement of grant-in-aid are fulfilled by such school/s.

(2) If the Director of School Education is satisfied that sufficient facilities exist in an area to impart instruction through a minority language, and no more school/s for the same are needed, then the Director of School Education may not permit the opening of any more such school/s in that area.

(3) The Director of School Education shall not be under any obligation to extend grant-in-aid to a school established and run by any linguistic minority, imparting instruction through a language other than that of the same linguistic minority.

10. *Annual Inspection of Recognised Institutions.*— The Director of School Education shall make suitable arrangements for inspection of all recognised institutions in the State. Their functioning shall be checked by frequent visits by the officers of the Directorate of School Education, officers of State Institute of Education/State Council of Educational Research and Training, and any other officers as may be appointed by the Director of School Education, and shall ensure that :—

(i) the education imparted in the schools is as per prescribed syllabi;

(ii) all the textbooks prescribed and used in the schools are as approved by the Government;

(iii) the academic and administrative standard is adequate and is as laid down by Directorate of Education;

(iv) discipline among the students is satisfactory;

(v) the employees and the Management work in harmony and do not act in any manner prejudicial to the education and discipline in the school;

(vi) the school is equipped with adequate infrastructure as laid down under these rules to meet the needs of the students.

CHAPTER III

OPENING OF A NEW SCHOOL OR CLASS OR DIVISION

11. *Opening of a new school.*— (1) Any individual or association of individuals desiring to open a new school shall form an Educational Society or a Trust with the objective to establish and run such school and shall register the same under the law as in force.

(2) The Government will constitute annually a State Survey Committee to identify the need for schools of different stages in different localities in the State. Thereon a public notification will be issued calling for applications.

(3) The Chairman/President of the Educational Society/Trust which desires to open a new school shall submit to the Assistant

Director of School Education of the Zone, an application in the Form I hereto on or before 30th of September of the year preceding the academic year, the school is expected to commence.

(4) A mere submission of application for starting a new school does not automatically entitle the applicant to open a school.

The new school shall be opened only after receipt of the written permission from the Director of School Education, to that effect, failing which the applicant shall be liable for penalty under section 4 of the Act.

12. *General Norms for granting permission to open a new school.*— (1) The Director of School Education, after examining the particulars furnished in the application and after making such other enquiries as may be deemed necessary, shall either reject or grant the permission applied for.

(2) The Director of School Education, while granting permission to open a new school, shall give due consideration to the following general norms :— (i) there is no school and facilities of the type to be provided by the proposed school, within a reasonable distance from the location/spot of the proposed school. For this purpose, reasonable distance for a primary, middle, secondary and higher secondary school shall be ordinarily one, three, five and eight kilometers respectively;

(ii) the new school is actually needed on account of natural hazards such as a hilly or forest area, river crossing, heavy traffic or any other factors which hamper access to the existing school;

(iii) the proposed school is exclusively for the benefit of an underprivileged community or for girls;

(iv) the existing similar schools in the locality or in its neighbourhood are overcrowded to admit students beyond their sanctioned strength and hence are unable to accommodate any more students. (For the purpose of this norm, the word overcrowding means, having admission in classes over the admissible number as per the specified norms of carpet area per child. The word overcrowding also means the existence of excess divisions);

(v) there is no further scope for immediate further expansion of the existing school/s to accommodate additional students proposed to be accommodated in the new school;

(vi) the physical facilities in the existing school/s are inadequate to accommodate any more students;

(vii) the new school if permitted, would not adversely affect the enrolment in the neighbouring school/s resulting in reduction of divisions which otherwise were being satisfactorily managed by them with adequate physical facilities;

(viii) the new school if permitted, would not cause disturbance of communal harmony in that locality, in whatsoever manner;

(ix) the demand for a new school is on account of persistent mismanagement of existing school/s in that area.

(3) While permitting the opening of a new school the Director of School Education shall further ensure that : -

(i) the management of the proposed school is properly constituted;

(ii) the financial position of the management is sound and it has already raised the Reserve Fund as laid down under these Rules;

(iii) the need of the school is properly assessed in terms of sub-rule (2) above;

(iv) the new school would not cause unhealthy competition with the existing schools of the same type;

(v) the premises of the new school are healthy, has enough light and ventilation and are physically sound for the safety of the children;

(vi) the opening of new school/s is not in contravention of the Government policy.

13. Communication of decision on the application.— The Director of School Education, after careful examination of the proposal for opening of a new school and after making such other enquiries as may be considered necessary, shall arrive at a fair decision and shall communicate the same to the applicant on or before 10th December of the year previous to the academic year.

14. Number of classes to be opened in the new school.— However the permission given shall be such that for the first year only one class shall be started and gradually subsequent classes shall be added to, with provision of required infrastructure for the class proposed to be opened with prior intimation to the Director of School Education.

15. Time limit for starting of new school.— The Management, on receipt of the permission to open a new school, shall open such school within a fortnight from the commencement of the academic year and thereafter intimate the same within a week to the Director of School Education and the Assistant Director of School Education of the Zone.

16. Validity period of permission to open a new school.— The permission granted by the Director of School Education to open a new school at the proposed location, shall be valid only for the year for which it is granted. In case the management fails to open the school in the same academic year as per rule 15, the permission granted shall automatically stand withdrawn.

17. Opening of Higher class.— (1) No such higher class shall be opened without prior permission of the Director of School Education.

(2) Letter of intimation for the purpose of intimating to open subsequent higher class shall be submitted to the Assistant Director of School Education of the Zone in the Form I hereto on or before 30th September of the year preceding the academic year in which the higher class is proposed to be opened.

(3) The Director of School Education shall agree to add the higher classes provided the required infrastructure facilities are made available as per the prescribed norms.

(4) The Director of School Education shall allow a school to add only one class of one stage for each academic year.

(5) In case the Director of School Education finds that the necessary conditions are not fulfilled by the Management to open a subsequent class, the management shall be informed accordingly and the management after compliance of the conditions, may resubmit the request for re-consideration of Director of School Education.

(6) The Director of School Education is empowered to direct any existing school to open a higher class as may be required to accommodate all students.

18. Opening of additional Divisions.— (1) No additional division of an existing class shall be opened without the prior permission of the Director of School Education.

(2) In order to obtain the necessary permission to open additional division/s, the management of the school shall submit an application in the Form I hereto to the Director of School Education, on or before 30th April of the year through the Assistant Director of School Education of the Zone if such a division is proposed to be opened in the month of June of the same year.

(3) For the purpose of this rule, opening of a division in additional faculty/stream in a higher secondary school shall be construed as additional division.

(4) The Director of School Education after careful examination of the details furnished in the application and after making such other enquiries as may be deemed necessary to do so, shall communicate his/her decision to the management on or before 31st of May of the year.

(5) Where in the opinion of the Director of School Education, reasonable grounds exist for doing so, the Director of School Education, may direct or permit any recognised school to open additional division/s in any of the class/es in the existing school/s as may be required to accommodate all students.

19. General norms to grant additional divisions.— While granting permission to open additional division/s in a school, the Director of School Education shall consider the following aspects : -

(i) the additional division is actually needed as a result of more divisions in the lower class in the same school;

(ii) there is no direct effect by way of reduction in a division in the same class in any other school in the neighbourhood of the applicant school;

(iii) there is actual need of opening an additional division to accommodate increased student population seeking admission in that class;

(iv) the applicant school has the infrastructure needed to open an additional division;

(v) opening of additional division is not a result of unhealthy competition among the schools including any appeal made to the people on the basis of race, religion, caste or community.

20. *Enrolment required for additional divisions.*— The enrolment for granting additional division shall be as follows:—

(A) *Pre-Primary stage (pre-school) and Primary stage (Standard I to Standard IV):—*

The divisions shall be in accordance with the number of students allotted to each teacher as per pupil-teacher ratio as at Appendix I hereto and as specified by the Government from time to time.

(B) *Middle and Secondary Stage (Standard V to Standard X):—*

- (i) for 20 to 45 students ... One division
- (ii) for 55 - 90 students ... Two divisions
- (iii) for 110 - 135 students ... Three divisions
- (iv) for a block of every next 45 students or part thereof ... One additional division

There shall ordinarily be a maximum of 45 students in a division. But for granting a second division, the total strength of two divisions of a class should not in any case be less than 55 students. For a third division, the total strength of three divisions of a class should not be less than 110.

(C) *Higher Secondary stage (Standard XI to Standard XII):—*

- (i) for 30 to 60 students ... One division
- (ii) for 70 to 100 students ... Two divisions
- (iii) for a block of every next 30 students or part thereof ... One additional division

There shall be a maximum of 60 students in a division. But for granting a second division, the total strength of two divisions of a stream should not be less than 70 students.

21. *Closing down a school or class or division.*— (1) The management desiring to close down a recognised school or its class or division of a class shall not do so without prior approval of the Director of School Education.

(2) The Director of School Education shall not permit any management to close down a school or its class in the middle of an academic year, unless circumstances so demand.

(3) The management shall intimate to the Director of School Education, through the Assistant Director of School Education of the Zone at least six months in advance, their intention to close down their school/class from the commencement of next academic year.

(4) Before submission of such intimation to the Director of School Education, the General Body of the Educational Society/Trust shall pass a resolution taking a decision of closing down the school/classes. A copy of this resolution should be submitted to the Director of School Education.

(5) On receipt of the intimation about intention of closing down the school, the Director of School Education shall carefully examine the following alternatives:—

(i) to hand over the school to any other registered Education Society /Trust;

(ii) to take over the school for such a period as may be deemed necessary;

(iii) to close down the school.

(6) In case the Director of School Education arrives at the decision to permit closure of the school, instructions shall be issued to the management of the school as follows:—

(i) to issue leaving certificates to all the students studying in the school;

(ii) to transfer all the records and also the assets purchased under grant-in-aid to the Assistant Director of School Education in the concerned Zone or to any other school, as may be deemed fit.

(7) The Director of School Education shall also take steps to absorb as far as practicable, the qualifying confirmed employees of the defunct school, in any other recognised school subject to the provisions of the same under these Rules. Surplus teachers shall receive salary payment upto a period of six months.

(8) The Director of School Education shall also take such steps as may be necessary to protect the interests of the Government in the building, site and other assets of the defunct school.

22. *Withdrawal of the permission to open a new school or new class or division.*— The Director of School Education shall be competent to withdraw the permission granted to open a new school or higher class or an additional division if subsequently it is found that the school has not provided satisfactory infrastructure as per specified norms.

CHAPTER IV

RECOGNITION OF A NEW SCHOOL

23. *Application for Recognition.*— (1) The Educational Society/Trust which is permitted to open a new school, from the commencement of any academic year shall submit an application in the form II hereto to the Director of School Education, through the Assistant Director of Education of the Zone within a period of one month from the inception of the new school, for the recognition of the same.

(2) If the Educational Society/Trust fails to submit the application for recognition within the stipulated period, the Director of School Education is entitled to withdraw the permission granted to open the school.

(3) Mere permission of the Director of School Education to start a new school does not entail automatic recognition of that school.

Rule 24. Conditions for Recognition -- A school shall be recognised or continued to be recognised subject to the provisions of section 1 of the Act and subject to the following conditions:-

(i) The Educational Society/Trust which runs the school, is functioning strictly in accordance with the mandatory obligations under the relevant laws of registration of that Society/Trust and also in accordance with its constitution and bye-laws.

(ii) The Management of that Educational Society/Trust is in the hands of a properly constituted Executive Committee of that Society/Trust.

(iii) The financial stability of the Educational Society/Trust is reasonably sound.

(iv) The premises of the school are healthy and as specified under these Rules.

(v) The school follows the curriculum and the text books as approved by the competent authority as per Rules 6, 66 and 67 and it does not use any teaching/learning material which is banned or not approved by the Government.

(vi) The standard of education in the school and the results in the internal and public examination/s are satisfactory.

(vii) Admissions are open to all without any discrimination on the basis of religion, race or caste.

(viii) Admissions to all the classes and promotion from class to class are made strictly in accordance with the rules as laid down by the Director of School Education or norms as specified by Board of Secondary and Higher Secondary Education, to which the school is affiliated as the case may be.

(ix) The Educational Society/Trust complies with all the conditions laid down by the Director of School Education at the time of granting permission to open the school/higher class.

(x) The school maintains all the records and registers as specified under these Rules and as may be directed from time to time by the Director of School Education, and Board of Secondary and Higher Secondary Education to which the school is affiliated.

(xi) The Management ensures punctual, prompt and accurate supply of required information and statistical returns as may be directed by the Directorate of School Education, or any of its subordinate offices.

(xii) The Educational Society/Trust undertakes not to run any non-recognised school or classes within or outside the premises of the recognised school and abides by this undertaking.

(xiii) The Management of the school abides by the conditions of services for its employees, as prescribed under these Rules and as may be prescribed by the Government from time to time.

(xiv) The Management of the school undertakes to use the use of the premises of the school and the physical facilities therein, to conduct adult education classes, non-formal education classes or continuing education centres including Jan Shikshan Nilayams, without any charge.

(xv) The Management undertakes to spare the school premises and the physical facilities therein alongwith the employees as may be needed, to hold public examinations conducted by the Board of Secondary and Higher Secondary education to which the school is affiliated or by any Government Department.

(xvi) The Management undertakes to spare the school premises and the physical facilities in the school for the purpose of seminars, workshops, refresher courses or training classes organised by the Directorate of School Education.

(xvii) The school premises are not used for any religious, commercial, political or communal activities of any kind whatsoever.

(xviii) The students and teachers or other employees of the school are not compelled directly or indirectly to attend within or outside the school premises, any religious, political, commercial or communal activities of any kind whatsoever.

(xix) The school and the hostel (if any) maintained by the school, shall be open to the inspecting officers of the Directorate of School Education and of any other Government Departments.

(xx) The Management undertakes to abide by such orders as may be issued by the Director of School Education on the functioning of the school, hostel (if any) in service matters of the employees.

(xxi) The Management undertakes to pay to the employees the salaries and all other allowances as per the rates specified by the Government from time to time.

Rule 25. Reserve Fund -- The Director of School Education shall not recognise a non-Government school unless the Management of the school establishes a Reserve Fund of a minimum amount as specified below : -

(i) For Primary School	Rs 10,000,00
(ii) For Middle School	Rs 15,000,00
(iii) For Secondary School	Rs.25,000,00
(iv) For Higher Secondary School	Rs.50,000,00

Rule 26. Grant of Recognition, Refusal or Recognition -- The Director shall communicate his/her decision on the recognition of the school in accordance with Section 5 of the Act.

Rule 27. *Recognition.*— (1) Any pre-primary, primary or middle school recognised in the first year of its functioning shall be deemed to have been recognised for a period of five years or until the final class of that stage of education is added with the permission of the Director of School Education. The schools need not seek recognition for each of the classes added after the first year of that stage.

(2) The recognition granted after the opening of the first year of secondary/ higher secondary stage shall be deemed to have been granted for the entire respective stage of education provided that such a recognition shall be limited to the classes recognised on a temporary or permanent basis by the Goa Board of Secondary and Higher Secondary Education, or by any other Board to which the school is affiliated.

(3) The Director of School Education may by special order extend the period of recognition of any pre-primary, primary or middle school if felt necessary to do so, to provide some more time to the Management to fully comply with the conditions laid down by the Directorate of School Education for recognition.

Rule 28. *Lapse of Recognition.*— (1) The recognition granted for any stage of education in a school shall lapse if the school by order of the Director of School Education closes down all the classes of that stage.

(2) The recognition granted for a secondary or higher secondary school shall lapse if the affiliating Board withdraws the recognition granted by it to that secondary or higher secondary school.

(3) The recognition once granted to a school shall be deemed to be lapsed in any of the following cases:—

(i) the school is shifted to a different locality without prior approval of the Director of School Education;

(ii) the school is transferred to different Management without prior approval of the Director of School Education;

(iii) the school ceases to function.

(4) The Director of School Education is entitled to withdraw permission granted to open a school after recognition has lapsed.

Rule 29. *Shifting of classes to other premises/locality.*— (1) A school shall not shift its classes from its initially permitted premises/locality to different premises/locality, without prior permission from the Director of School Education.

(2) The Management desiring to shift the classes of its school from initial premises/locality shall seek the permission of the Director of School Education, at least six months in advance, of the date of proposed shifting.

(3) The application seeking permission shall be submitted to the Assistant Director of School Education of the Zone giving therein the details of:—

(i) present location,

(ii) location of proposed premises.

(iii) distance between the present location and the proposed location.

(iv) sketch plan of new premises.

(v) names of similar type of schools existing around the proposed location and their distance from proposed premises.

(vi) reasons in detail for proposed shifting.

The Assistant Director of School Education of the Zone will submit his/her report to the Director of School Education within a period of one month.

(4) The Director of School Education may permit or reject the request for shifting the classes to new premises/locality by giving due consideration to the following factors:—

(i) suitability of new premises

(ii) need of the school in the new locality

(iii) probable adverse effects on the already existing schools of similar type in that locality within reasonable distance

(iv) such other factors as may need to be assessed as if the opening of a new school is proposed in the locality where shifting is proposed.

Rule 30. *Suspension of Recognition.*— (1) If the Director of School Education is convinced that the school which is granted recognition has failed even after sufficient intimation and time to comply with one or more conditions imposed on the Management under these Rules, and the said conditions could have been complied with, within a short reasonable period of six months, then the Director of School Education may suspend the recognition of that school for a period of time to fully comply with the said conditions or remove the deficiencies to the satisfaction of the Director of School Education.

(2) If the school does not comply with the condition/s or remove the deficiencies within the period for which the recognition is suspended, the Director of School Education may take further steps to withdraw the recognition.

(3) If the school, complies with the conditions or removes the deficiencies pointed out and submits its compliance report within the time limit allowed, the Director of School Education may, after careful consideration of the compliance report and also by making such other enquiries as may be deemed necessary, restore the recognition.

Rule 31. *Withdrawal of Recognition.*— (1) When a school including a permanently recognised school has ceased in the opinion of the Directorate of School Education, to fulfill any of the conditions of recognition or any other provisions under these Rules or the Act, or the Goa, Daman and Diu Secondary and Higher Secondary Education Rules, 1975, the Director of School Education may withdraw the recognition of that school.

(2) When the recognition of a school is proposed to be withdrawn under these rules the Director of School Education shall issue a notice to the Chairman of the School Managing Committee to show cause against the proposed action of the withdrawal of the recognition and a minimum period of ten days from the date of receipt of the notice, shall be allowed for the Management to submit its reply.

(3) The Director of School Education at his/her discretion may allow or reject any request of the Management for extension of time-limit set out to submit reply to the show cause notice.

(4) The Director of School Education shall incorporate in the show cause notice all the charges/offences for which the action of withdrawal of recognition is proposed. The show cause notice shall also incorporate the list of documents to be relied upon for the proposed action against the school.

(5) The Management may if it desires to do so, approach the Director of School Education in person before the expiry of the time-limit for the submission of the reply and may examine the documents cited in the show cause notice and also may collect copies of the same against payment of the charges for copies. The Director of School Education shall not be under any obligation to supply to the Management, copy/ies of any of the documents through postal services or through messenger service.

(6) On receipt of the reply to the notice, the Director of School Education, after careful examination of the same shall decide as to whether an order to withdraw the recognition should be made or not. If the Director of School Education is satisfied with the reply submitted by the Management the recognition may be continued subject to such further conditions and instructions as may be deemed necessary.

(7) If the Director of School Education, after careful consideration of the reply submitted by the Management arrives at the decision that the action of withdrawal of recognition is necessary, an order to that effect shall be issued. The order so issued, shall be a speaking order and the reasons in detail shall be mentioned in it for the non-acceptance of the reply for each of the charges.

(8) The order of withdrawal of recognition shall be effective from the date of the issue of the said order and the same should be published in at least two local dailies for the information of the public.

(9) The order of withdrawal of recognition shall also incorporate directives to the Management about transfers within specified period, of the recorded in the custody of the school and of the school property purchased from Government grants.

(10) Permission to open the school granted under rules 11(4), 12, and 13 shall be deemed to be cancelled with effect from the date of issue of order withdrawing the recognition.

(11) Any school Management which fails to close down the school after withdrawal of recognition shall be liable for prosecution under Section 4 of the Act.

Rule 32. *Restoration of Recognition.* -- (1) It shall be open to the Management to remove the deficiencies and to comply with the conditions for want of which the recognition was withdrawn and submit an application to that effect to the Director of School Education, through the Assistant Director of School Education of the Zone within six months from the date of order of withdrawal of recognition. The application shall give in detail the compliance, for consideration of restoration of the recognition.

(2) It shall be at the discretion of the Director of School Education to consider such an application for restoration of the recognition. In case the Director of School Education is not satisfied with the compliance report submitted, the Management shall be communicated accordingly.

CHAPTER V

MANAGEMENT SYSTEM FOR A NON-GOVERNMENT SCHOOL

33. *School Managing Committee.* -- (1) For each of the aided schools or group of aided schools, there shall be a School managing committee comprising of minimum five and maximum seven members.

(2) The School managing committee shall be accountable to the Director of School Education, on behalf of the Educational Society/Trust, for the management of the school/s for which it is appointed.

(3) The Chairman/President of the executive body of the Educational Society/Trust shall be the Chairman of the School managing committee. Other members of the school managing committee shall be nominated by the executive body.

(4) The School managing committee shall not have as its member an employee who is holding a post lower in rank than the head of the school from any of the schools run by that Educational Society/Trust.

(5) The Head of the School shall be a member of the School managing committee.

(6) Any School managing committee constituted in violation of the provisions of this rule shall be deemed as invalid.

34. *Term of the managing committee.* -- (1) The term of the School managing committee shall be co-terminus with that of the executive body of the Educational Society/Trust.

(2) The Chairman/President of the Educational Society/Trust running the school shall take steps at least three months in advance before the expiry of the term of the outgoing School managing committee to constitute a duly elected new School managing committee.

(3) The outgoing School managing committee shall give full charge of their office to the newly constituted School managing committee within five days from the date of the expiry of the term of the outgoing School managing committee.

35. *Meetings of the School managing committee.* -- (1) The School managing committee shall meet at least three in a calendar year, at regular intervals of about four months.

(2) The Chairman of the School managing committee may also convene extraordinary meetings as may be warranted.

(3) The meetings of the School managing committee shall be convened by the Chairman with a notice of seven days.

(4) The notice of the meetings shall incorporate the date, time, venue and agenda of the meeting.

(5) The Chairman of the School managing committee shall preside over the meetings of the School managing committee. In the absence of the Chairman, any member, elected from among themselves by the members present, shall preside over the meeting.

(6) The attendance of two-thirds of the total number of members (fraction to be ignored) shall form the quorum. In the absence of quorum at the appointed time, the number of members, present after half an hour of the appointed time, shall form the quorum.

(7) The resolutions in the meetings of the School managing committee shall be adopted with a simple majority of votes. The Chairman shall have a casting vote.

(8) The Minutes of the meetings of the School managing committee shall be recorded and signed by all the members present.

36. *Appointment of the Manager.*—(1) The School managing committee shall appoint a Manager for the school/s under its management.

(2) The Manager shall be from amongst the members of the School managing committee.

(3) The School managing committee of an Educational Society/Trust which runs more than one school may appoint separate Managers for each of the schools or a cluster of schools as may be considered necessary. In such cases, the Managers so appointed may not be the members of the School managing committee but shall ordinarily be the members of that Educational Society/Trust.

(4) A Manager who is not a member of the School managing committee and is appointed under sub-rule (1) above, if he/she happens to be an employee in any of the recognised educational institutions under that educational Society/Trust, he/she shall not be lower in rank than that of the Head of the school for which he/she is appointed/designated to function as Manager.

(5) The Head of the School may also be appointed as Manager of that school.

(6) The School managing committee shall be accountable to the Directorate of School Education for the functioning of the Manager/s appointed by it.

(7) Any communication made to the Manager of a school by the Directorate of School Education shall be deemed to have been made to the School managing committee as well as the Educational Society/Trust running that school.

37. *Duties and functions of the Manager.*—Following shall be the duties of the Manager :—

(i) to liaison between the Directorate of School Education and the School managing committee of the school;

(ii) to correspond with and receive correspondence from the Directorate of School Education or any other Government Department, on behalf of the School managing committee of the school in respect of personnel and establishment matters;

(iii) to control and regulate financial matters of the school in consultation with the Head of the school within the directives from the School managing committee and the Director of School Education;

(iv) to maintain up-to-date accounts of the financial transactions of the school/s for which he/she is appointed as the Manager;

(v) to promptly submit or cause to submit all information/returns as may be directed by the Director of School Education;

(vi) to regularly submit to the Director of School Education, the audited statement of accounts of the school for each financial year as per the schedule set by the Director of School Education;

(vii) to represent the School managing committee, in legal matters/suits pertaining to the school;

(viii) to arrange to disburse the salaries, other dues and payments of the employees of the school as per procedure and Schedule laid down by the Directorate of School Education in consultation with the head of the school. Bills including those pertaining to salaries and allowances of employees shall be jointly signed by the Manager and the Head of the School;

(ix) make purchases of stores and other materials required for the school in consultation with the Head of the school, in accordance with the rules governing such purchases and make entry of all such stores in the stock registers and shall scrutinise the bills and cause to make payments;

(x) to discharge such other duties on behalf of and as directed by the School managing committee.

38. *Duties and functions of the head of the school.*— The duties, powers and responsibilities of the Head of the school:

(i) He/she shall, be responsible for the maintenance of school records, service books of teaching and non-teaching staff and such other registers, returns and statistics as may be specified by the Director of School Education from time to time;

(ii) handle official correspondence relating to the school excepting financial matters and furnish, within the specified period, the returns and information required by the Director of School Education;

(iii) ensure that the tuition fees levied are realised and appropriately accounted for and duly appropriated for the purpose for which they were levied;

(iv) conduct physical verification of school property and stocks at least once a year and ensure that the maintenance of stock register is neat and accurate. The Stock register should be signed by the Head of the school and countersigned by the Manager;

(v) be responsible for proper utilisation of the pupils' fund;

(vi) make satisfactory arrangements for the supply of portable drinking water and other facilities for the pupils and ensure that the school building, its fixtures and furniture, office equipment, toilets, play grounds, school garden and other properties are properly and carefully maintained;

(vii) ensure high standards of discipline among pupils and teachers;

(viii) supervise, guide and control the work of the teaching and non-teaching staff of the school;

(ix) be in charge of admission in the school, preparation of school timetable, allocation of duties and work load to teachers and the conduct of school tests and examinations in accordance with instructions issued by the Director of School Education;

(x) plan the years' academic work in advance in consultation with his/her colleagues and hold staff meetings at least once a month, review work done during the month and assess the progress of the pupils;

(xi) help and guide the teachers and promote their professional growth towards this end, actively encourage their participation in courses designed for in-service education;

(xii) promote the initiative of the teachers for self-improvement and encourage them to undertake experiments and innovations which are educationally sound;

(xiii) supervise class-room teaching and secure cooperation and co-ordination amongst teachers of the same subject as well as ensure inter-subject co-ordination;

(xiv) arrange and supervise the remedial teaching of backward, weak and slow learners;

(xv) prepare time-tables for the conduct of periodical tests and examinations and ensure that assessment is carried out carefully and effectively;

(xvi) make necessary arrangements for organising special instruction for the pupils according to their specific needs with the co-operation and assistance of teachers;

(xvii) organise and co-ordinate various co-curricular activities;

(xviii) develop and organise the library resources and reading facilities in the school and ensure that the pupils and teachers have access to and use books and journals of established value and usefulness;

(xix) send regularly the progress reports of the students to their parents and guardians;

(xx) promote the physical well-being of the pupils, set high standards of cleanliness and health habits, ensure periodical medical examination of the students and send medical reports to parents and guardians;

(xxi) be present in the school premises to supervise the administrative and academic work of the school and be available to the public and the officers of the Directorate of School Education for consultation.

39. Responsibilities of the school managing committee.

The School managing committee shall be responsible for the prompt compliance of the instructions issued by the Director of School Education.

(2) The School managing committee shall promptly and vigilantly comply with the provisions of the Act and the Goa Daman and Diu Secondary and Higher Secondary Education Act 1975 and rules made thereunder and rules incorporated herein as well as other administrative instructions issued from time to time.

(3) The School managing committee shall exercise timely vigilance in financial matters and shall maintain upto date accounts in accordance with rules herein.

(4) The School managing committee shall pay prompt attention to the grievances of the employees of the school/s and shall settle the same without giving any scope for tension and disharmony.

(5) It is the prime responsibility of the School managing committee to function with utmost vigilance so that the normal and smooth functioning of the school is not disrupted.

(6) The School managing committee shall be fully responsible through the head of institution for keeping upto date records of the movable and immovable property of the school, its annual verification, its maintenance and to make good the losses if any.

(7) The School managing committee is strictly prohibited to remove, transfer or dispose of any of the school property or to allow its use for any purpose other than bonafide use for the school, without prior permission of the Director of School Education.

40. Dissolution of the School managing committee. -- It shall be within the competence of the Educational Society/Trust to dissolve a duly constituted School managing committee:

Provided that, the proposal for dissolution of the duly constituted School managing committee shall be assented by the General Body of the Educational Society/Trust running the school.

41. Transfer of control of a school to another Society/Trust.

(1) The control of a recognised school shall not be transferred from one registered Educational Society/Trust to any other organisation without the prior approval of the Director of School Education.

(2) Only the Director of School Education may permit the transfer of control of a school from a registered Educational Society/Trust to another registered Educational Society/Trust.

(3) Such a transfer of control shall be proposed only after passing a resolution to that effect by the General Body of the Educational Society/Trust which runs the school.

(4) The Educational Society/Trust shall submit an application to the Director of School Education at least six months in advance to seek permission for the proposed transfer of the control. The applicant shall enclose the following documents with the application:-

(i) a copy of the resolution as per sub-rule (3) above;

(ii) a detailed inventory separately showing items of movable and immovable property of the school with initial purchase price, and current market value;

(iii) a copy of the Agreement drawn between both the parties for the purpose of proposed transfer;

(iv) a copy of the constitution and registration certificate of the Educational Society/Trust which intends to take over the school.

(5) The application shall also mention the proposed date of transfer of control of the school and details about the Educational Society/Trust such as, its registration number, full address of the office and office bearers.

(6) The School managing committee shall also notify to all the employees of the school about the proposed transfer of control giving them details of the Educational Society/Trust which proposes to take over the school.

(7) Actual transfer of the control shall be effected only after approval from the Director of School Education is obtained.

(8) It shall be within the powers of the Director of School Education to reject any such proposal if deemed necessary.

(9) It shall be binding on both the managements to obtain necessary permission from the Director of School Education for such a transfer of control from one Society/Trust to another Society/Trust. Any transaction made in contravention of the provisions laid down above shall be void.

42. *Action against vacant offices of School managing committee.*— (1) No position of the School managing committee shall remain vacant for a period exceeding three months. The school is liable for derecognition.

(2) In the eventuality of a dispute between outgoing School managing committee and incoming School managing committee for transfer of entire charge, and if such dispute is not settled within three months from the date of formation of new School managing committee, this shall be sufficient grounds for derecognition of the school.

43. *Intimation of Constitution of School managing committee.*— It is enjoined upon the School managing committee to submit to the Director of School Education the full details of the members of the School managing committee such as, full name, office held and residential addresses, within one month from the date of constitution of such Committee.

44. *Taking over of School management.*— The provisions of section 20 of the Act shall be applicable for taking over the management of a school.

CHAPTER VI

PHYSICAL FACILITIES

45. *Provisions for physical facilities.*— Every recognised school shall endeavour to provide suitable infrastructure.

46. *School building*— Every recognised school shall have its own building constructed and equipped within a minimum reasonable period as may be directed by the Director of School Education, as per the following guidelines:

(A) *Minimum recommended area of the premises*

(1) A primary School building with three to four classrooms shall have the premises of about 4000 sq. meters.

(2) A Primary School building with four to eight classrooms or a school building for a middle school shall have the premises of in a plot of land about 5000 sq. metres.

(3) A High School building or a Higher Secondary School building or a Primary teachers training institution shall have the premises in a plot of land of about 10000 sq. metres.

(B) *Accommodation*

(1) The recommended areas and locations of some of the rooms shall be as below:-

(a) *Class-rooms:*

(i) For Primary Schools	7m x 6m (42 sq. meters)
(ii) For Middle and Secondary Schools	8m x 6m (48 sq. meters)
(iii) For Higher Secondary Schools	10m x 8m (80 sq. meters)
(iv) For Primary Teachers' Training Institute	(9m x 7m) 63 sq. meters

(b) *Staff Room:* Area: 40 sq. meters for 20 teachers with two separate toilets for men and ladies.

(c) *Laboratories:*

(i) For Middle and Secondary Schools and Primary Teachers Training Institutes	80 sq. meters
(ii) For Higher Secondary Schools	120 sq. meters for each subject

(d) *Library-cum-reading room:*

(i) For Middle and Secondary Schools	80 sq. meters
(ii) For Higher Secondary Schools and Primary Teachers Training Institutes	120 sq. meters

(e) *Assembly Hall/Auditorium*— About 200 sq. meters and above.

(f) *Toilets for boys and closets for girls*— There shall be one toilet/closet for about 50 pupils.

(g) *Workshops and Science Club*— Same as for laboratories.

(h) *Office of head of the School*— It shall be near the school-office with separate entrance and access door to school office and with an area as to allow easy access and free movement.

(i) *Drawing hall, Geography room and Crafts room*— Area of each of these rooms shall be about 60 sq.meters.

(j) *Recreation rooms*—

(i) For Middle and Secondary Schools	: approx. 60 sq. meters
(ii) For Higher Secondary Schools and Primary Teachers Training Institutes	: approx. 100 sq. meters or more depending upon the number of pupils who may use it at a time.

All other rooms must be sufficiently large in area to allow free movement, ample ventilation, natural light and to accommodate the furniture needed for that room.

CHAPTER VII

SCHOOL TERMS, SCHOOL HOURS AND HOLIDAYS

47. *The School terms and vacations*— (1) The academic year shall be divided into two terms of work with provision for vacations.

(2) In order to ensure uniformity in the date of opening of schools in the State, the Director of School Education shall determine and intimate the dates of opening and closing of both the terms and of the vacations generally on the following principles:—

(i) the first term of an academic year shall ordinarily commence from the first working day of the week, falling on any day between 5th to 11th June of the year;

(ii) the second term shall be from the first day after the end of first vacation (mid-annual vacation) and upto the last working day of the week falling on any day between 19th to 25th of April;

(iii) the first vacation (mid-annual vacation) shall be for two weeks at the end of the first term in October/November and shall be adjusted to include the Diwali Festival;

(iv) the second vacation (summer vacation) shall be from the close of second term and upto the re-opening day of the next academic year;

(v) there shall also be two brief mid-term vacations one for Ganesh Chaturthi and the second for Christmas;

(6) the Director of School Education may make suitable changes in the days of commencement and closure of both the terms and the vacations depending upon climatic conditions, festivities, sports events, etc.

(7) in addition to the vacations, the schools shall observe public holidays as may be notified by the Government.

(8) each school may also avail of discretionary holidays not exceeding five days in a year. The list of at least three such holidays planned shall be submitted to the Assistant Director of School Education of the Zone, in June for information.

48. *School hours*— (1) The school shall actually work for not less than 225 days and shall actually impart instruction for not less than 210 days in an academic year.

(2) A middle/secondary/higher secondary day school shall ordinarily arrange for pupil-teacher contact for five and half clock hours each day, exclusive of recess, for six days in a week and shall impart curricular instruction in academic subjects for thirty hours per week. The remaining three hours per week shall be utilised for co-curricular activities, remedial teaching, library work, hobby/Science/Nature club activities, etc., with systematic daily planning reflecting the same in the time-table.

(3) A primary school shall ordinarily meet for six hours inclusive of recess of half an hour for all working days of a week.

(4) A pre-primary school shall ordinarily meet for four hours in one session per day, for six days in a week.

(5) A night secondary or night higher secondary school shall meet for three hours a day exclusive of recess for six days in a week.

49. *Shift system*— (1) The Director of School Education may grant permission to a day school to work in two shifts because of lack of accommodation, provided that there is no other day school of the same type in that locality which can conveniently accommodate the excess pupils seeking admission in the format.

(2) A school shall submit an application to the Assistant Director of School Education of the Zone every year in the month of May to seek permission to function in shift system.

(3) The Assistant Director of School Education, only after assessing the need to do so, shall present his/her report to the Director of School Education, who shall permit on yearly basis, the functioning the shift system in a school.

(4) A school shall not function in the shift system without the specific permission of the Director of School Education.

(5) The school allowed to work in shifts shall fulfil the following conditions:—

(i) appropriate arrangements shall be made for proper administration, co-ordination and supervision in both shifts;

(ii) there shall be independent and full-time staff for each shift within the admissible staff for the entire school. Only in exceptional and unavoidable circumstances a teacher may be assigned work in both shifts without disturbing the total prescribed weekly workload;

(iii) the total instructional and working hours in each of the shift shall be the same as specified for a school without shift system. However, if one of the shifts is exclusively for lower classes upto Standard VII, then the instructional and working hours in that shift may be reduced by 20 to 25 minutes each day, with the permission of the Director of School Education.

(6) No school shall lay claim to run the classes in the shift system as a matter of right and the Director of School Education shall have the authority to permit the opening of new school in that area.

CHAPTER VIII

ADMISSIONS AND WITHDRAWAL OF STUDENTS

50. *Admission without discrimination.*— The admission in a recognised school shall not be refused to any student on the grounds of sex, caste, race or religion.

51. *Period of admission.*— (1) Admission shall ordinarily be made within the first month of the academic year. The head of the school may admit students in the next month at his/her discretion.

(2) Any admission sought thereafter shall be made with the permission of the Assistant Director of School Education of the Zone.

52. *Number of admissions.*— (1) A middle, secondary or higher secondary school shall restrict the number of admissions, only for the divisions already sanctioned by the Directorate of School Education.

(2) The admissions at middle and secondary stage (Standard V to X) shall be ordinarily 45 students per division.

(3) The admissions to be made in each of the divisions at higher secondary stage shall be ordinarily fifty students per division.

53. *Application for admission.*— The parent/guardian of a minor child shall be required to submit an application to the Head

of the school, in the form as may be prescribed by the respective school to seek admission of the pupil.

54. *Power of Director to regulate admissions.*— It shall be within the competence of Director of School Education to regulate admissions as per guidelines issued from time to time.

55. *Provisional admission.*— (1) The Head of a school is competent to grant provisional admission to a pupil seeking admission in secondary and higher secondary stage respectively, for a period upto six months if:—

(i) all the pre-requisites for admission could not be completed at the time of admission; or

(ii) there arises the need for clarification or enquiry in matters related to the admission.

(2) The head of the institution is competent to extend, in very special cases the provisional admission for a period of two more months beyond the time limit specified in the sub-rules (i) above. In each of such cases the Head of the school shall inform the Assistant Director of School Education of the Zone in writing, the reasons for granting the extension of the period of provisional admission.

(3) The provisional admission granted under sub-rules (1) and (2) above, shall be entirely at the risk of the applicants seeking the said admission. This shall be brought to the notice of the concerned applicants by the Head of the school and their consent for such provisional admission be obtained in writing.

56. *Pre-requisite for admission in Standard I.*— (1) A child seeking admission in Standard I shall be admitted in that class provided it has attained the minimum age as laid down for such admission by the Government.

(2) A child shall be admitted in Standard I on the strength of the Birth Certificate issued by the office of the Registrar of birth, an authority appointed by Government for that purpose.

(3) A child whose birth is not registered in the appropriate office, shall be admitted in Standard I, on the strength of a declaration of the date of birth of the child by the parent/guardian in Form III hereto.

57. *Admission in a class above Standard I and upto Standard XII.*— (1) A student coming from a recognised school in this State shall be admitted on the strength of the School Leaving Certificate issued by the last recognised school. Admission shall be permitted to the class in which he/she was studying/promoted/detained at the time of leaving the last school as indicated in the School Leaving Certificate.

(2) A pupil coming from a recognised school of any other State/Union territory in India, and seeking admission in any class upto Standard X on the strength of the School Leaving Certificate issued by that recognised school shall be admitted in that class provided that, the School Leaving Certificate is countersigned by the Education Officer controlling that school. Such a student shall be admitted in appropriate class as below:-

(i) a student coming from an educational pattern identical to that prevailing in this State shall be admitted in the appropriate class as per sub-rule (1) above;

(ii) a student coming from a different pattern of education, shall be admitted in the class as may be instructed by the Director of School Education. Such cases should be referred to the Director of School Education for his/her consideration.

(3) A student coming from a recognised school of any other State/Union Territory and seeking admission in Standard XI or XII shall be admitted in that class only after obtaining the following documents:-

(i) Leaving/Transfer Certificate from the last school attended, duly countersigned by the Education Officer controlling that school;

(ii) Eligibility certificate issued by the Goa Board of Secondary and Higher Secondary Education.

(4) In the case of a student who passed Secondary School Certificate Examination of any Statutory Board in India, as an external candidate, the mark-list and the passing certificate issued by that Statutory Board shall be accepted as basic documents, in place of School Leaving Certificate, for purpose of admission into Standard XI.

Provided that eligibility certificate issued by the Goa Board of Secondary and Higher Secondary Education shall be required when the Board is other than Board of this State.

58. *Admission (upto Standard X) of students coming from non-recognised schools or having not attended any School in the past.*— (1) A student who has never attended a school or has throughout studied in a non-recognised school, shall be admitted in a recognised school by following procedures as indicated below:

(i) the parent/guardian shall be required to produce the Birth Certificate of the student, issued by the competent authority;

(ii) the parent/guardian shall also be required to produce an Affidavit declaring therein that the student concerned has never attended any recognised school in the past. The reasons for the same should be also mentioned in the Affidavit;

(iii) the school authorities shall arrange to administer a written test to the student, in all subjects for such standard as would the student have attended school regularly on one-year-one-standard basis from the year of admission to Standard I.

(iv) On the basis of the assessment of the performance in the test, the Head of the school shall decide as to which standard the student may be suitably admitted provided that the class shall not be higher than the one determined as per sub-rule (1)(iii) above:

(i) the Head of the school, thereafter shall submit to the Assistant Director of School Education of the Zone, the question papers set for the test, the written answer books, a report of his recommendations regarding the standard for admission and copy of the Affidavit provided by the parent/guardian;

(ii) the Assistant Director of School Education of the Zone, after careful examination of the standard of the question papers, the answer books, the marks obtained by the student, the age factor, and the recommendations of the Head of the school, may grant permission to admit the student in the appropriate class.

Provided that the student shall not be admitted in a class higher than what it would normally have reached, on one-year-one-class basis since admission to Standard I.

(vii) a student may be asked to answer the normal question in final test if the admission is sought from the next academic year.

(2) If a student who had discontinued studies in a non-recognised school or had continued studies in a non-recognised school after leaving a recognised school seeks admission in a recognised school, such a student shall submit the School Leaving Certificate issued by the last recognised School and the parent/guardian of the student shall produce an Affidavit stating therein the reasons for discontinuing studies from recognised school. The student shall be subjected to a test and admitted in the appropriate standard with the permission of the Assistant Director of School Education of the Zone, as in the case under sub-rule (1) above.

59. *Admission of students coming from Non-formal or Adult Education Centres.*— A student coming from a non-formal or adult education centre shall be admitted by administering a test to decide the level of that student equal to any class in the formal system. After deciding the level of achievement such student shall be admitted in the next higher class with the permission of the Assistant Director of School Education of the Zone.

Provided that such a student shall not be admitted in a class higher than that he/she would normally have reached on one-year-one-class basis if admitted to the formal system of education since Standard I.

Provided further that the Birth Certificate/Declaration of the parent/guardian of the student, as the case may be, be retained in the school records.

60. *Admission of students coming from other countries.*— (1) For purpose of this rule, the schools in other countries shall be considered as unrecognised schools and the procedure for admission of such students upto Standard X shall be the same as specified in sub-rule (1) of rule 58.

(2) In the case of students seeking admission in Standard XI or XII, the students shall be required to obtain eligibility certificate from the Goa Board of Secondary and Higher Secondary Education.

(3) A student of foreign nationality shall be admitted only after ascertaining that the said student possesses an appropriate visa covering the entire period of stay required to complete the course at the school.

(4) In the case of a student coming from abroad, the Head of the school, for the purpose of recording the date of birth of the student, may accept (a) the Birth Certificate; or (b) extract or portion of the passport indicating his date of birth; or (c) document in original, as may be issued by the competent Government office.

61. *Admission with duplicate Leaving Certificate.*— (1) If admission is sought on the strength of a duplicate School Leaving Certificate from the last recognised school, stating that the original School Leaving Certificate is lost, the parent/guardian shall be required to produce an Affidavit declaring therein the fact of having lost the original School Leaving Certificate and not having misused the same for obtaining admission in any other institution. The declarant shall also categorically declare that in case the lost leaving certificate is subsequently found, the same will be submitted to the school.

(2) In case a student produces a duplicate School Leaving Certificate from a recognised school from any other State in India, it should necessarily be countersigned by the local Educational Authority controlling that school.

(3) The Head of the school, then shall accept the duplicate Leaving Certificate and the Affidavit and admit the student in the appropriate class as indicated in the said Leaving Certificate.

62. *Scrutiny of the School Leaving Certificate.*— (1) The Head of the School shall scrutinise the School Leaving Certificate submitted by a student seeking admission in a class.

(2) If the Head of the school suspects any unauthorised alterations or additions in the School Leaving Certificate, or the genuineness of the certificate, the admission shall be given only on provisional basis informing the student in writing, the reasons for the same. The case shall be also reported to the Director of School Education.

(3) The Head of the school shall make confidential enquiries with the school which issued the certificate, regarding suspected entries in the Leaving Certificate and ascertain its validity for confirmation or termination of admission.

63. *Cessation of admission.*— (1) Admission once granted to a student shall automatically continue to be in force for subsequent years. It shall cease only in the following cases:—

(i) the student leaves the school or is removed from the school for disciplinary reasons;

(ii) on account of continuous absence over one month without intimation/permission;

(iii) failure on the part of the student to intimate within the specified time-limit, the continuation of his studies for the next academic year, when such an intimation is so desired by the school.

(2) The detention of a student on account of failure to pass the annual examination in any class shall not be a cause of cessation of the admission.

64. *Withdrawal from the school.*— (1) In order to withdraw a student from the school, the parent/guardian shall be required to submit an application to the head of the school, requesting him/her to issue the Leaving Certificate of the student.

(2) A student who is major in age may submit an application for the Leaving Certificate of the self.

(3) The School Leaving Certificate shall be issued in Form IV hereto. The details in the School Leaving Certificate shall be identical to those in the General Register. A copy of the School Leaving Certificate issued must be retained in the school.

(4) Each entry of over-writing or cancellation in the School Leaving Certificate must be countersigned by the Head of the school.

(5) The Head of the school shall affix the seal of the School and also his/her signature to authenticate the School Leaving Certificate.

(6) Fees shall not be charged for the School Leaving Certificate if issued for the first time.

65. *Refusal to issue School Leaving Certificate.*— (1) No School Leaving Certificate shall be issued by the Head of the school within a week from the date of receipt of request.

(2) Refusal to issue a School Leaving Certificate without any valid/tenable reason may entail action against the school.

(3) The head of the school may refuse to issue the School Leaving Certificate only in following cases:

(i) non-payment of dues, if any, of the school;

(ii) non-return of the library books or non-payment of breakage or damage caused to school property by the student;

(iii) rustication of the student;

(iv) on instruction from the Goa Board of Secondary and Higher Secondary Education about imposition of any penalty.

(4) In case of rustication of the student, the School Leaving Certificate shall be issued as usual, after the expiry of the period of rustication.

(5) In case the Head of the school desires to refuse to issue School Leaving Certificate on the grounds other than those in the sub-rule (3) above, the Head of the School, shall submit the case to the Assistant Director of School Education of the zone within

week from the day of receipt of the application for such Leaving Certificate. The head of the school shall record in detail the reasons for the refusal.

(6) The Assistant Director of School Education of the Zone after careful consideration of the reasons stated by the head of the ~~school~~ for refusal to issue the School Leaving Certificate, shall issue suitable instructions to be complied with by the concerned head of the school in this matter.

CHAPTER IX

CURRICULUM, TEXTBOOKS, EVALUATION AND PROMOTION

66. *Curriculum/Text Books.*—(1) Every school shall follow the syllabi as specified by the Directorate of Education and by the Goa Board of Secondary and Higher Secondary Education for Standard I to Standard VII and for Standard VIII to Standard XII respectively.

(2) It shall use the text-books, atlases and supplementary reading books as specified by the Director of School Education or the Goa Board of Secondary and Higher Secondary Education as the case may be.

67. *Adoption of alternate curriculum/text-books.*—(1) A recognised school may adopt a different curriculum prescribed by another statutory Board of Education in India.

(2) Schools which have adopted the syllabus of another statutory Board of Education in India may use the text-books and other supplementary reading material prescribed by that Board.

68. *Evaluation and promotion.*—The Director of School Education shall issue detailed instructions regarding assessment, evaluation and promotion of students of Standard I to VII, from time to time. In the case of Standard VIII to XII, such directives shall be issued by the Goa Board of Secondary and Higher Secondary Education. Promotion shall be strictly in accordance with these instructions.

CHAPTER X

CODE OF CONDUCT FOR STUDENTS AND DISCIPLINARY MEASURES

69. *General Student Conduct.*—(1) Students should bear in mind that they are responsible to the school authorities not only for their conduct in the school but also for their general behaviour outside the school premises.

(2) Students should be punctual and regular in attending their classes.

(3) Students should be polite, obedient and courteous in their behaviour with the members of the staff in the school in particular and with public in general.

(4) Students should be meticulous about the cleanliness of dress and person.

(5) Students should abide by the rules of the school regarding discipline.

70. *Prohibited Activities.*—(1) Students should not damage school property in whatsoever manner.

(2) Students should not resort to acts of violence, physical assault, rowdyism or any other activity which may disturb the sanctity and peace of the school premises.

(3) Ragging in any form is strictly prohibited in the premises of the school, in the hostel (if any) or outside the school premises.

(4) Students should not smoke, consume alcoholic drinks and narcotics, chew tobacco or betel in or outside the school premises.

(5) Students should not dirty the school premises by spitting or in whatsoever other manner.

(6) Students should not indulge in activities supporting or promoting communalism, castesim, unconstitutional activities and/or anti-national activities within or outside the school premises.

(7) Students should not resort to any type of malpractice in the internal tests or public examination.

(8) Students should not tamper with the progress card, school leaving certificate, cumulative record or any other document issued by any school or Board of Examination.

71. *Disciplinary action and imposition of punishment.*—(1) Students found violating the Code of Conduct or are found indulging in the prohibited activities or any other activities which are considered to be unbecoming of a student are liable to disciplinary action by the head of the institution.

(2) There shall be no corporal punishment.

(3) The punishment may be any one of the following as per the gravity of the offence :—

(i) imposition of monetary fine to compensate for damage caused to school property;

(ii) expulsion from the school;

(iii) rustication from the school ;

(4) A student shall not be expelled temporarily or permanently or rusticated without the prior approval of the School managing committee.

(5) The temporary or permanent expulsion from the school shall not prevent re-admission of the same student in any other institution.

(6) It shall be within the competence of the Director of School Education to direct the admission of an offender student, who is below the age of 14 years, to any special school as may be deemed fit.

72. *Student's Council.*— (1) No elections shall be held for the constitution of Student's Council in any school.

(2) Student's Council shall be constituted by the Head of the School.

CHAPTER XI

FINANCIAL AID TO SCHOOLS

73. *Funds for Education.*— (1) The funds sanctioned annually from the public Exchequer for aiding education in the State of Goa, shall be administered by the Director of School Education, in accordance with the conditions laid down in these Rules.

(2) The financial aid shall cover such stage or stages of education as may be decided by the Government from time to time. The type, extent and quantum of the grants to a stage of education shall be as decided by the Government from time to time.

(3) The payment of grants shall be subject to the availability of funds and shall be in the form of grant-in-aid or refundable loan.

(4) It shall be within the competence of the Director of School Education to notify and reduce the rate of any type of grant for such period as may be deemed necessary, due to paucity of funds.

(5) It shall be within the competence of the Director of School Education to decide the number of schools to be admitted for grant-in-aid in a year.

74. *Types of Grants and Loan.*— Subject to the provisions of sub-rule (2) of rule 73, the following types of Grants-in-aid and Loan shall be made available to eligible schools:—

(i) salary Grant (to meet expenditure on salaries of the employees);

(ii) non-Salary Grant;

(iii) building Grant.

75. *Eligibility to apply for Grants.*— (1) A school recognised by the Director of School Education in this State shall be eligible to apply for grants subject to the following conditions:—

(i) it is being run by a duly registered Educational Society or Trust;

(ii) it has adopted the syllabi as specified by the Director of School Education of this State and the Goa Board of Secondary and Higher Secondary Education for appropriate stages of education;

(iii) the stage of education for which grant-in-aid is desired, is duly accepted by the Government for the purpose.

(2) A school which imparts instruction through an Indian language and is affiliated to a statutory Board of Secondary or Higher Secondary Education outside this State for the reason of not having the facilities for evaluation under the Goa Board of Secondary and Higher Secondary Education through that medium, shall be eligible to apply for grant-in-aid.

76. *Salary grant.*— (1) The payment of salaries including all admissible allowances for the employees of a school shall be the first charge on the salary grant paid to schools to such an extent as may be notified by the Director of School Education from time to time.

(2) A school during the first year of its recognition shall not be entitled to apply for and receive any salary grants.

(3) The admissibility of salary grant shall be linked and limited to the emoluments of teachers whose appointments are approved by the Director of School Education for the number of such recognised classes as shall fulfil the conditions of enrolment as per rule 78 (ii) of these rules.

77. *Application for Salary Grant.*— (1) The managements of eligible schools desirous of registering to avail the salary grant shall submit an application to the Director of School Education on or before 30th April of the year preceding the academic year in which the said grant is desired.

(2) The application for salary grant shall be submitted in Form V hereto.

(3) The school once registered for salary grant shall be eligible to get the said grant-in-aid one year after the opening the school. Provided that the continuance of release of the salary grant to the school shall be subject to the continuance of its recognition and fulfilment of conditions for receipt of grants, as laid down under these rules.

78. *Conditions for Salary Grant.*— The following shall be the conditions for a school to qualify for admissibility of salary grant:—

(i) the school shall fulfil the conditions of eligibility to apply for grant as laid down under rule 75 of these rules;

(ii) the recognised classes or divisions for which salary grant for teachers is required, shall have the minimum enrolment of fifteen students for secondary and twenty-five students for higher secondary schools;

(iii) the classes from Standard VIII onwards shall have to be recognised by the affiliating Board of Secondary and Higher Secondary Education, in order to admit the teaching staff and other employees of these classes for salary grant;

(iv) the management shall undertake to regularly submit statements of audited accounts of every financial year within a period of six months after the close of that financial year;

(v) the school has built up the Reserve Fund as laid down under these Rules;

(vi) the school shall have sources of permanent annual income other than any fees of pupils' fund from endowments or donations equal to at least 50% of non-salary grant;

(vii) the management shall appoint adequate and duly qualified staff as per the norms laid down by the Directorate of School Education;

(viii) the management shall maintain to the satisfaction of the Director of School Education the academic and administrative standards of the school;

(ix) the management shall not contravene any of the conditions as laid down for recognition by the Directorate of School Education under these Rules and under the relevant rules of the Board of Secondary and Higher Secondary Education;

(x) the management shall manage the administration of the school, entirely free from any financial irregularity;

(xi) the management and the teachers of the school shall maintain harmonious and cordial relations and shall not resort to any practice or act prejudicial to the smooth functioning of the school;

(xii) the management shall give an undertaking to adhere to the provisions of the Act, the Goa, Daman and Diu Secondary and Higher Secondary Education Rules, 1975, these Rules and the instructions issued by the Director of School Education from time to time;

(xiii) the accounts of the school shall be open for inspection by the officers of the Directorate of Education and any other Department, as may be required by the Government;

(xiv) the school shall comply with such instructions as may be issued by the Director of School Education from time to time.

79. Approval of application for Salary Grant.— The Director of School Education, after consideration of the application for salary grant and after making such other enquiries as may be deemed necessary may reject the application or may approve to register the school in the list of schools accepted for grants. The Director of School Education shall also communicate the decision to the applicant school, on or before 30th April, before the commencement of the academic year for which the salary grant is desired by the school.

80. Modalities for claim of salary grant.— (1) The school which is registered for the receipt of salary grant shall regularly submit to the Director of School Education the claim of the salary for the employees subject to the provision of sub-rule (3) of rule 76 in the manner as may be prescribed by the Director of School Education.

(2) The first claim for the salary grant of a newly appointed employee must be necessarily accompanied with an attested true copy of medical fitness certificate of that employee.

(3) The salary grants received from the Director of School Education shall be credited in an account exclusively opened for

this purpose in a Nationalised/Scheduled/ co-operative/ state/ free bank. This account shall be jointly operated by:

(i) the manager and the Head of the school; and

(ii) the Assistant Director of School Education of the area/any other officer as may be directed by the Director of School Education.

(4) In case there is any dispute among the signatories as to the signing of any bill, the same shall be referred to the Director of School Education who shall be competent to direct and regulate the operation of the salary account by excluding or substituting any of the signatories specified in sub-rule (3) above.

(5) Any act of crediting the salary grant in any other account shall be considered as an act of gross irregularity and shall entail stoppage of grants. This shall also entail action of invoking the provisions of section 20 of the Act.

81. Suspension of Grant-in-aid.— (1) The Director of School Education may reduce, withdraw or suspend the salary grant for any one or more reasons as follows:

(i) the management fails to comply with any of the provisions of the Act or the Goa, Daman and Diu Secondary and Higher Secondary Education Rules, 1975 or any of the provisions under these rules;

(ii) the management fails to comply with the instructions issued by the Director of School Education in respect of the service matters of the employees of the school;

(iii) there is serious deterioration in the standards of general efficiency and discipline in the school;

(iv) there is a case of gross mismanagement of the affairs of the school;

(2) The suspension or withdrawal or reduction of the grant shall be ordered after giving full opportunity to the management by serving a show-cause notice returnable within fifteen days from the receipt of the said notice.

82. Non-Salary Grant.— (1) All recognised schools under the control of the Director of School Education shall be eligible for non-salary grant alongwith salary grant to meet the expenditure on admissible contingent items, for such stage of education as may be notified by Government. No separate application for non-salary grant is required.

(2) A school during first year of its recognition shall not be entitled for non-salary grant.

(3) The quantum of the non-salary grant shall be as per the pattern of assistance as may be approved by the Government from time to time.

(4) The payment of non-salary grant is on reimbursement basis. The schools recognised in the previous academic year are eligible for non-salary grant during the next year based on the admissible/approved expenditure of the previous year.

(5) For the purpose of calculation of the non-salary grant the management of a school shall submit to the Director of School Education, audited statements of accounts certified by a registered Chartered Accountant.

(6) The management of a school shall open a separate bank account for the non-salary grant, in a Nationalised/Scheduled/ co-operative/ postal bank and the same shall be jointly operated by the Chairman and Secretary of the School managing committee and the manager of the School.

(7) The expenditure from the non-salary Grant shall be strictly as per pattern of assistance as notified by the Government from time to time.

(8) Any payment of Rs.2000 and above from the non-salary grant shall be made by cheque and in case of any default, it shall be entirely at the discretion of the Director of School Education to reject such expenditure of non-salary grant.

(9) Expenditure incurred on purchases for specified monetary limits, without following the procedure of inviting quotations/ tenders as prescribed for such purchases in Government establishments, shall not be admissible for grants.

(10) The expenditure incurred by the school on inadmissible items or any expenditure incurred on admissible items but without following the procedure as laid down, shall not be held admissible for non-salary grant to the school.

83. *Building Grants.*— (1) Subject to the availability of funds, the building Grants may be sanctioned for following purposes:—

(i) construction of new school building excluding purchase of land for the school;

(ii) construction of laboratory, library, observatory, workshop, gymnasium and playground;

(iii) purchase of a building for the school;

(iv) extension of existing school building;

(v) re-construction of a school-building.

(2) Government, in a special case, may also sanction building Grants for repayment of loans availed by a management to construct school building for the school recognised by the Directorate of Education.

(3) Building Grants shall not be normally admissible for any major or minor repairs of the school or its maintenance or upkeep.

84. *Quantum of building Grant.*— (1) The building Grant shall be limited to the quantum as may be decided by the Government from time to time and shall be linked with the cost of the building construction, as estimated and certified by the authorised Technical Officer of Public Works Department. The building grant shall not exceed 50% of the cost of construction.

(2) The building Grant for any other items other than the construction of school building may be made available with different ceilings as may be decided by the Government.

(3) The building Grant may not be always available upto the extent of maximum limit but may be reduced by the Director of School Education as per availability of funds.

85. *Procedure to apply for building Grant.*— (1) The Education Society/Trust of a school desirous of availing building Grant shall pass a resolution to that effect and record the same in their Minute books.

(2) The Education Society/Trust shall also resolve to authorise an office bearer on behalf of that Educational Society/ Trust, to apply for and receive Building Grant to enter into any legal contract, mortgage deed, sale deed Agreement or take any legal action related to that immovable property, to protect the interests and the rights of the Educational Society/Trust.

86. *Eligibility conditions for building Grant.*— In order to qualify to obtain Building Grant, the Education Society/ Trust shall satisfy the Government in respect of the following:

(i) the Education Society/Trust has already raised the required funds to defray its share of the expenditure on the construction of the proposed building;

(ii) the building is intended and shall be devoted only for the purpose for which the grant is sanctioned;

(iii) the Education Society/Trust has acquired a site/land of its own or on lease for a thirty year period and that the title to the site/land of the proposed building is clear and free from encumbrances;

(iv) the site is geologically feasible to take up the construction of the proposed school building;

(v) the plans, estimates and specifications are as per Government norms to that effect;

(vi) the construction of the building will be completed within twenty-four months of the sanction of the building Grant.

87. *Application for Building Grant.*— (1) The application for building Grant shall be submitted to the Director of School Education in Form VI hereto.

(2) All the applications shall be ordinarily considered according to the order of receipt of the same.

(3) The Director of School Education is competent to give priority to a case over the applications received earlier, by giving due consideration to the locality or type of the school.

88. *Documents to be submitted with Application.*— The following documents shall be attached to the application for building Grant:

(i) a copy of resolution taken by the Education Society/Trust as per rule 85;

(ii) a declaration therein that the Education Society/Trust has already raised sufficient funds to defray its share of the construction cost of the building;

(iii) a copy of the sale deed/gift deed/lease deed of the site/ land of the proposed building;

(iv) a survey plan of the site/land showing the survey number, the boundaries and correct description;

(v) all the documents as may be required to prove that the Education Society/Trust has the clear title of the site/land;

(vi) a copy of the Trust Deed;

(vii) A copy of the plans, estimates and specifications of the proposed building, duly signed by a qualified engineer and duly approved by the Planning Authority.

89. *Submission of Trust Deed or Agreement.*—(1) The building Grant in full or any part thereof shall be released to the Education Society/Trust of the school only after the Education Society/Trust executes a Trust Deed or an Agreement, as the case may be, as provided under these Rules.

(2) If the total amount of the building Grant does not exceed Rs.1.00 lakh the Director of School Education after the careful consideration of all relevant aspects, may not require the Education Society/Trust to execute a Trust-Deed but shall accept a written Agreement from, the Education Society/Trust. The Agreement shall incorporate the following undertaking:—

(i) to maintain the building in proper condition;

(ii) to manage the school in accordance with the rules and regulations of the Directorate of Education;

(iii) to keep the school open for inspection by the Directorate of Education or any other Government Office as may be required;

(iv) to use the building exclusively for education and not to let it to or allow it to be used by any political, religious or commercial body for the purpose of promotion of political or religious thought or commercial gain;

(v) to keep the building properly insured, jointly in the name of the Education Society/Trust and the Governor of Goa;

(vi) to repay on demand by the Director of School Education, the grant amount paid by Government in respect of the school building or construction of gymnasium, library, laboratory, workshop, etc. in the event of default on part of the Education Society/Trust in respect of any of the preceding conditions.

(3) In every case, save as specified in sub-rule (2) above, the Education Society/Trust shall execute a Trust Deed in such form as may be specified by the Government from time to time for general purpose or specially for this purpose. The Trust Deed shall embody conditions regarding:—

(i) the construction and maintenance of the building;

(ii) the insurance of the building;

(iii) the period and the stage at which the instalments of the building grant shall be payable;

(iv) the inspection of the school by Departmental Officers and Officers of any other Government Departments;

(v) the events of default in which the full building Grant or unpaid portion thereof shall lapse;

(vi) the event upon which the aggregate amount of the building Grant or Grants advanced by the Government from time to time, shall be repayable to the Government;

(vii) the events of default on part of the Education Society/Trust upon which the Government shall have right to take possession of the building and use it for educational purpose or for any other purpose as may be deemed expedient by the Government or to sell it if deemed necessary;

(8) Every such deed shall be drafted, at the charge of the Education Society/Trust and approved, by the Law Department of the Government.

90. *Commencement of the building Construction.*—(1) The construction of the building shall commence only after the plans of the building including site plan and estimates are approved by the technical authorities of Public Works Department, Planning Authority and such other agency as may be required as per the rules in force.

(2) Any deviation in the approved plans shall not be made without the prior permission of the technical authorities of the Public Works Department.

91. *Agency for construction.*—The construction of the building by a private agency shall be permitted upto any estimated cost subject to the condition that the technical authorities of the Public Works Department who have approved the plans, estimates and the specifications shall be satisfied of the competency of the private agency to which the said work is proposed to be entrusted.

92. *Submission of Valuation Certificate.*—(1) The Education Society/Trust shall be required to submit a Valuation Certificate of the construction completed before any building Grant is released.

(2) The Valuation Certificate shall be issued by the technical authorities of the Public Works Department who had approved the plans and the estimates.

(3) The Valuation Certificate shall incorporate that:—

(i) the valuation of the construction work as estimated is correct to the best of the knowledge and belief of the authority issuing the certificate;

(ii) the construction of the building for which the building Grant is claimed, is in accordance with the approved plans without any unauthorised alteration;

(iii) the construction work is being carried out upto the satisfactory standard.

93. *Insurance of the Building.*—(1) The building in respect of which building Grant has been allotted by the Director of School Education must be properly insured.

(2) The insurance of the building must be held jointly in the name of the Education Society/Trust of the school and the Governor of Goa.

(3) The insurance sum shall be equal to the total cost of the entire construction work above the plinth level including the flooring.

(4) It shall not be necessary to insure the building if the authorised technical officers of Public Works Department certifies that in their opinion the risk of fire is not so great for the building, so as to warrant fire insurance for it.

94. *Claim of instalments of building Grant.*— (1) The claim for an instalment of building Grant shall be submitted subject to provision of sub-rule (2) of rule 92 of these Rules.

(2) The building Grant claims of instalment shall be regularly submitted for every sixth monthly period alongwith utilisation certificate failing which any claims for further instalments of the said Grant are liable to be rejected.

(3) If any instalment amount of the building Grant is not utilised within a period of 6 months from the date of release of the building Grant, no further instalment of the building Grant shall be released.

(4) If the entire construction is not completed within eighteen months from the date of release of first instalment of the building Grant the entire amount of building Grant released to the school shall be recovered from the grant payable to the school and the school shall not be entitled for any non-salary grant till the entire amount of the Building Grant is fully recovered.

95. *Disposal of movable property purchased under Grants.*— (1) The Education Society/Trust of a school shall not write off or dispose off any movable property acquired from Government aid unless it is declared as surplus, obsolete or unserviceable by the Condemnation Committee.

(2) The three member Condemnation Committee for this purpose shall be constituted of following persons:

(a) Assistant Director of School Education of the respective zone as its Chairman;

(b) The head of the school;

(c) One authorised representative of the Education Society/Trust;

(3) The Condemnation Committee shall assess the condition of the articles/equipments proposed to be disposed off and shall draw minutes of their decision.

(4) All items costing less than Rs.5000/-, shall be declared surplus/obsolete/unserviceable by the school on recommendation of the Condemnation Committee and the same shall be disposed off by inviting quotations for maximum disposal return.

(5) All items costing more than Rs.5000/- recommended for disposal by the Condemnation Committee, shall be declared obsolete/ unserviceable/surplus from the stock register after obtaining the approval of the Director of School Education for the

same. The same items shall be disposed off by public auction or in such other manner as may be directed by the Director of School Education. The articles which are physically not present due to theft or pilferage shall be written off.

(6) The articles/items of movable property found surplus by the Condemnation Committee shall be transferred to any other school as may be directed by the Director of School Education.

(7) The sale proceeds of the disposed items shall be credited to the Government treasury in the same proportion to the Government grants utilised for their purchases.

96. *Grant for Primary Teacher's Training Institutions and other special institutions.*— (1) Government may release grants to Primary Teachers Training Institutions on the same terms and conditions as are applicable to recognised schools.

(2) Government may release grants to special schools for promotion of study of languages, art, etc. by notifying the pattern of assistance to that effect.

CHAPTER XII

FEES, FUNDS AND ACCOUNTS

97. *Charges of fees.*— All recognised schools shall charge such fees only as approved by the Government from time to time.

98. *Fees in night Schools.*— In night schools fees shall be half the standard rates prescribed for day schools.

99. *Prohibition to collect unauthorised fees and funds.*— (1) The Educational Society/Trust running the school shall not charge or collect any type of fees or money not prescribed by the Government or any type of donation/contribution or sum under any other title from the pupils or their parents/guardians, by directly or indirectly linking the said collection with the matter of admission or promotion of the pupils or towards construction or building fund, or towards payment of rent or towards providing any facility in the school or classrooms, stationery, books, etc.

(2) The school or the Educational Society/Trust shall not collect from the pupils or through the pupils any funds by way of lottery, donations, voluntary contributions or by any other means for the purpose directly or indirectly connected with communal or religious activities including religious worship or religious discourses.

(3) The collection of funds/donations as may be appealed for by the Government like Flag Day Collection and National Teachers' Welfare Fund shall not come under the purview of this rule.

(4) Any violation of rule 99 shall invite penalty under section 19 of the Act.

100. *Collection of Examination Fees.*— In the case of pupils appearing for public examinations conducted by the affiliated Board, the school shall collect examination fees and other charges at the rate as specified by the Board. The school shall not charge higher rate or any other fee not prescribed by the Board.

101. *Expenditure from fees.*—The expenditure from different types of fees allowed to be charged, shall be incurred only on items as may be specified from time to time by the Director of School Education.

102. *Pupils' fund.*—(1) The school is required to institute a fund entitled as Pupils' Fund by collecting charges from pupils at the rates as specified by the Director of School Education from time to time.

(2) The charges for Pupils' Fund shall be collected from all the pupils. However, pupils belonging to Scheduled Castes and Scheduled Tribes shall be exempted from the payment of these charges.

(3) The amount collected for Pupils' Fund shall be spent on specified items for the welfare of the pupils.

(4) Each school shall constitute a Pupils' Fund Advisory Committee consisting of the following members:—

(a) head of the school;

(b) two teachers nominated by the School managing committee;

(c) two pupils nominated by the head of the school.

(5) The Pupils' Fund Advisory Committee shall prepare every year in advance, a budget of proposed expenditure on specified items for the next academic year and shall submit the same to the School managing committee.

(6) The School managing committee shall arrange to release the required amount from the Pupils' Fund and shall keep the same at demand to incur expenditure as per the budgeted items.

(7) The head of the school shall ensure that the collection, withdrawal and the expenditure from Pupils' Fund are properly reflected in the books of accounts with proper vouchers and receipts.

103. *Operation of School Funds.*—(1) Every school shall operate its funds by depositing the same in any Nationalised/Scheduled/co-operative/post office bank.

(2) Every lumpsum payment of Rs. 2000/- and above must necessarily be made by cheque and any lumpsum payment of Rs. 2000/- or above made in cash shall not be admitted by the Directorate of School Education as authorised expenditure.

104. *Types of Accounts.*—(1) For the purpose of distinct transactions, a school shall have separate bank accounts for the following funds:—

(i) Salary Grant Account for transactions pertaining to salary grant received from the Directorate of Education;

(ii) Non-Salary Grant Account for transactions pertaining to non-salary grant received from the Directorate of Education;

(iii) Fees Account for transactions pertaining to amounts of all types of fees such as tuition fees and term fees;

(iv) Pupils' Fund Account for transactions pertaining to Pupils' Fund;

(v) Reserve Fund Account for transactions pertaining to Reserve Fund;

(vi) Endowment Fund Account for transactions of permanent deposits donated for awarding scholarships;

(vii) General School Fund Account for transactions of funds received as donations or any other type of income of the school;

(viii) Parent-Teacher Association Fund Account for transactions of the funds pertaining to Parent-Teacher's Association;

(ix) Advance/Deposit Fund Account for transactions of refundable deposits of students;

(x) Building Grants Account for transactions of building grant received if any

(2) It is advisable to operate separate accounts for each type of fund received, in addition to accounts mentioned in sub rule (1) above, such as, Private Loan Account or any other account may be required.

(3) The Salary Grant Account and Reserve Fund Account shall be opened in the same Bank.

(4) It shall be obligatory on the School managing committee to ensure that each account be operated for the transactions for which it is opened.

(5) It shall be obligatory on the School managing committee to ensure that entries in each of the Bank Account books be updated immediately after the transactions, and reconciliation of the balance shall be carried out regularly in each month so that the entries in the cash-book are instantly verifiable for accuracy.

105. *Authority to operate the Accounts.*—(1) Reserve Fund:

(a) The Reserve Fund Account shall be operated:

(i) jointly by the Chairman of the School managing Committee and the Manager of the school;

(ii) by the Assistant Director of School Education of the Zone alone for the purpose of payment of salaries of employees by transfer credit through advice note

(b) Bank shall be suitably instructed by the School managing committee, as per sub-clauses (i) and (ii) above, and that cheques drawn in favour of self by any operator shall not be admitted for payment from Reserve Fund Account.

(2) Following Accounts shall be jointly operated by the persons shown against each of them:

(i) Salary Grant Account: by the Manager, Head of the school and the Assistant Director of School Education of the Zone.

(ii) Non-Salary Grant Account : the Chairman/the Secretary of the School managing committee/ and the Manager of the school.

(iii) Fees Account : Manager and the Head of the school.

(iv) Pupils' Fund Account : Same as above

(3) The Parent-Teachers Association Fund Account shall be jointly operated by the Head of the School and the President of the Parent-Teacher's Association.

(4) All other accounts may be operated by any two elected members of the School managing committee. A record to this effect shall be maintained in the Minutes of the meeting.

106. *Change of Authority.*— In the case of any dispute between the co-operators of any account, the Director of School Education may authorise the operation of that account through any of the co-operators or any other office bearers of the School managing committee.

107. *Checking of the Accounts.*— (1) All the account books shall be in the safe custody of the manager and shall be available for inspection by the inspecting officers of audit units from the Directorate of Education, Directorate of Accounts, Resident Audit Office and any other body appointed by the Government.

(2) The School managing committee shall be responsible to check the accounts at least once in a year.

(3) The annual audited statements of the accounts shall be duly checked by the School managing committee and approved, duly recording the same in the Minutes book.

108. *Submission of Accounts to the Director of School Education.*— The accounts of the school shall be got audited by the school annually through any registered Chartered Accountant within six months from the closure of the financial year and the audited statements, Receipt Payment Account, Income and Expenditure Account and Balance sheet shall be submitted to the Director of School Education, in triplicate duly signed by the manager.

CHAPTER XIII

RECORDS AND REGISTERS

109. *Maintenance of records.*— (1) A recognised school shall maintain such records and registers as may be required in order to submit any desired information to the Director of School Education pertaining to the school, its employees and the pupils.

(2) A recognised school shall maintain the prescribed registers as per proforma as specified by the Director of School Education.

(3) A recognised school shall issue certificates in the proforma as specified by the Director of School Education.

(4) All the records shall be produced for inspection by the inspecting officers and auditing officials, on demand.

110. *Period of maintenance of Records.*— (1) Following records and registers shall be maintained and preserved for a minimum period shown against the respective registers/records:—

(A) <i>Pertaining to pupils</i>	<i>Period</i>
i. General registers of pupils in the Form VII hereto	Permanent
ii. Applications of pupils for admission	5 years
iii. Leaving Certificates issued by other schools to incoming pupils	Permanent
iv. Counterfoils of Leaving Certificates issued to outgoing pupils	Permanent
v. Register of Pupils' attainment in the tests and results	Permanent
vi. Records of health and medical	10 years
vii. Answerbooks of final annual tests/ examinations	1 year
viii. Attendance registers of the pupils	10 years
ix. Records of test papers of pupils admitted with test	1 year
x. Affidavits of Parents/Guardians of pupils for admission	Permanent
xi. Records of students sponsored for public examinations	Permanent
xii. Registers of distribution of marksheets and certificates of public examinations	Permanent
xiii. Office copies of marksheets of public examinations	Permanent

(B) *Pertaining to employees*

i. Personal files of the individual employees	Permanent
ii. Service books of the employees	Till retirement
iii. Discharge certificates of the employees issued by last employing institution (to be retained in personal file)	Permanent
iv. Pay fixation statements (to be retained in Service books with copy in personal file)	Permanent
v. Attendance registers of the employees (showing leave records)	5 years
vi. Log book of the head of the school	5 years
vii. Leave applications of the employees	5 years
viii. Annual performance reports of the employees	Permanent
ix. File of proposals for creation of posts and permission granted by the Director of School Education thereon	Permanent
x. File of copies of interview minutes	Permanent

(C) *Pertaining to Accounts*

i. Daily Cash Book	Permanent
ii. Ledger showing receipt and expenditure	Permanent
iii. Receipt books for fees and any other collections	Till audit is completed

- iv. Fees Account Register
- v. Bills and vouchers of payment of purchases
- vi. Bills and vouchers of payment of scholarships and freeships
- vii. Register showing details of pupils in receipt of scholarships, freeships and other aid
- viii. Audit reports
- ix. Pay rolls and acquittances of payment
- x. Records of claim of grants from the Directorate of School Education
- xi. Register of Provident Fund Accounts of the employees

(D) Pertaining to General Administration

- i. Inward register
- ii. Outward register with stamp account
- iii. Dead Stock register of movable property like furniture and office equipment
- iv. Laboratory register for apparatus
- v. Library book register/s
- vi. Register of audio-visual teaching aids including maps and charts
- vii. Register of Chemicals and Laboratory consumables
- viii. Stationery register
- ix. Guard File with a copy of each document outwarded
- x. Inspection report

(2) A recognised school, in addition to records mentioned in sub-rule (1) above, shall also maintain other records in a neat and orderly manner in respect of circulars received on matters pertaining to curriculum, prescribed text-books, rules pertaining to evaluation, pay scales of the employees, etc.

111. General register. — (1) Every pupil admitted provisionally or on confirmed basis shall be registered in the General Register on the very day of such admission by completing all the entries pertaining to the admission. Similarly, all the entries pertaining to leaving of the school shall be completed on the very day of leaving the school by the pupil even if Leaving Certificate is issued to that student on any later day.

(2) When a student is admitted on the strength of a Leaving Certificate, all the entries in the General Register pertaining to admission, shall be accurately made as per the entries in the Leaving Certificate submitted by the student.

(3) No change in the entries in the General Register shall be made without obtaining the previous written sanction of the Assistant Director of School Education of the concerned Zone.

(4) An application for a change in the entries in the General Register shall be entertained in respect of only those pupils who are attending the school. A case of any pupil who has already left the school shall not be considered.

(5) Changes in the entries in the General Register shall be made in red ink with dated initials and by recording the authority letter

Till audit is completed
-do-

-do-

-do-

Permanent

Till audit is completed
-do-

Permanent

(number and date of the letter) by which such change is permitted by the Assistant Director of School Education of the concerned Zone.

(6) In the case of a student who drops out by collecting Leaving Certificate and who thereafter passes the public examination as an external candidate, a suitable entry to this effect shall be made in green ink, in the remarks column against the original registration number of that student so as to enable the same to be suitably reflected in the original Leaving Certificate issued in the past or in the duplicate copy of that Leaving Certificate.

112. Personal files and service books. — (1) The Personal file of an employee shall contain the application of the employee for the post, copy of offer of appointment, acceptance letter, approval letter by the Director of School Education for the appointment, copy of appointment letter, joining report, medical certificate, character certificate and all other subsequent correspondence pertaining to that employee including the leave application/s and sanction orders, pay fixation order/s, etc.

(2) A part from the personal file, it shall be the responsibility of the School managing committee to maintain a Service Book for each of the employees by recording the details of the services of the employee. Any failure to maintain such service book of an employee shall be a good and sufficient reason to invoke the provisions of section 5 of the Act against the school.

113. School Leaving/Transfer Certificate. — (1) The Head of the school shall carefully and accurately make the entries in the Leaving Certificate exactly as in the General Register and shall ensure its accuracy before it is issued to the outgoing pupil.

(2) It shall be ensured that in a Leaving Certificate issued to an outgoing pupil, the entries pertaining to the date of birth and class to which he is promoted or detained are invariably made both in figures and words.

(3) When a pupil leaves the school at the end of an academic year, the entries in the remarks column shall explicitly indicate the number of years of study completed in the case of pupils studying in the range of no-detention classes. In other cases, the remarks column shall indicate the class in which the pupil is promoted or the class in which detained, as the case may be.

In all cases the class/year shall be indicated in Roman figures and in words. When a pupil leaves in the middle of an academic year, the entry in the remarks column shall indicate the year/class in which the pupil is studying at the time of leaving the school.

(4) When a student passes or fails in the public examination and leaves the school by collecting the School Leaving Certificate, the result of the public examination shall be recorded in the remarks column in the School Leaving Certificate.

(5) When a student who has left the school, appears for the public examination as an external or repeater candidate, as the case may be, and passes the said public examination, an entry to that effect shall be made in the original School Leaving Certificate already issued to that student. The said entry may be made in green ink below the composition of the format of the School Leaving

Certificate with fresh seal and signature of the head of the school. An identical entry shall also be made in the General register in the remarks column and the same shall be attested by the Head of the school.

114. *Issue of duplicate School Leaving Certificate.*— (1) The Head of the school is competent to issue a duplicate copy of the School Leaving Certificate.

(2) The copy of the School Leaving Certificate shall be issued in the same proforma as in the case of the original issued earlier. The details about the student should also be recorded identically as in the original Leaving Certificate issued earlier. It shall be signed by the Head of the School in the office, and word DUPLICATE shall be stamped or written in red ink on the top of the Certificate.

(3) The school may charge a fee as may be specified by the Directorate of School Education from time to time for a duplicate copy of the School Leaving Certificate.

(4) It shall be within the competence of the Head of the school to entertain a request for issue of duplicate School Leaving Certificate second or third time. In such cases, the Head of the school shall make such enquiries as may be necessary and after being fully satisfied that the original School Leaving Certificate or the copies issued earlier were not misused by the student and a fresh copy is absolutely necessary, may issue another duplicate copy of the School Leaving Certificate.

(5) An entry indicating date and serial number of School Leaving Certificate and copies thereafter issued to a student should be recorded in the General register against the name of the student.

115. *Cash book.*— Cash book should be updated daily with the day-to-day transactions. The verification of balance in the bank account should be carried out regularly for confirmation of entries of balance in the cash book.

116. *Stock registers.*— All the stock registers shall be maintained item-wise showing balance stock on each day of procurement or disposal.

117. *Provident Fund register.*— Provident Fund Register shall be maintained upto date indicating the contribution made by the employee and the annual interest earned thereon.

118. *Fee register.*— Fee register shall be maintained with entries of amounts received, serial number of the receipt issued and date of the same.

119. *Inspection of records.*— All the registers and records shall be made available for inspection in the school office on demand by the inspecting officers. It shall be the responsibility of the management to make suitable arrangements for the same including entrusting the charge with Head of the institution and other employees, as may be deemed suitable. Any failure in this regard shall be considered as sufficient reason to invoke provisions of section 20 of the Act.

CHAPTER XIV

CODE OF CONDUCT FOR EMPLOYEES

120. *Code of conduct.*— All employees of a recognised school shall be subject to the general rules of discipline and conduct as may be laid down by the Government from time to time and shall be governed by the code of conduct specified hereafter.

(1) An employee of a recognised school shall not, knowingly or willfully neglect the duties assigned to him/her by the Head of the school, the Director of School Education or the Goa Board of Secondary and Higher Secondary Education and which has granted recognition to the school.

(2) An employee of a recognised school should observe punctuality in attending the school and the duties assigned by superiors.

(3) An employee of a recognised school shall not misbehave with or disobey the instructions and use rude and indecent language to his/her superiors or any officer of the Directorate of Education.

(4) An employee of a recognised school shall not misbehave or commit cruelty towards any pupil, parent, guardian or any employee of the school.

(5) An employee of a recognised school shall not discriminate against any student on grounds of caste, race, religion, sex, language, etc.

(6) An employee of a recognised school shall not indulge in or encourage any malpractice connected with public examinations or school examinations or tests.

(7) An employee of a recognised school shall not propagate through teaching or otherwise, communal or sectarian thought. He/she should not incite or allow pupils to indulge in communal or sectarian activities or practice casteism, communalism or untouchability.

(8) An employee of a recognised school shall not cause or incite any person to cause damage to school property.

(9) An employee of a recognised school shall not behave or encourage or incite any pupil or employee of the school, to behave in a rowdy or disorderly manner, in the school premises.

(10) An employee of a recognised school shall not enter into any monetary transactions with any pupil or parent or guardian of a pupil of the school nor shall he/she exploit the influence of the self, for personal gain.

(11) An employee of a recognised school shall not advocate the presentation of a gift or any object to himself/herself on any occasion.

Explanation: The expression 'gift' shall include free transport, boarding, lodging, and services or pecuniary advantages when provided on a regular basis or on special

occasions by any person, other than a near relative or personal friend, not having any connections with the school of the employee.

(12) Leave of absence:—

(i) An employee of a recognised school shall not ordinarily be absent from school without obtaining prior permission, oral or written of the next superior authority;

(ii) Any absence without prior permission of the next superior authority, if caused due to reasons beyond the control of the employee, shall not be deemed to be breach of code of conduct provided that, the absence is for a short period of a day or two and the employee on his/her return to duty, applies for leave and obtains ex-post-facto sanction for the same.

(13) Pursuit of Studies:—

When an employee of a recognised school, desires to pursue further studies, he/she shall do so with prior permission of the School managing committee. Ordinarily there can be no objection to the pursuit of knowledge and, therefore, the School managing committee shall not refuse such permission provided that, normal work of the school does not suffer from any such permission.

(14) An employee of a recognised school:—

(i) shall not enter into or contract a marriage with a person having a spouse living;

(ii) having a spouse living shall not enter into or contract a marriage with any other person, unless such a marriage is permissible under any personal law applicable to that employee.

(15) An employee of recognised school shall strictly abide by any law in force relating to intoxicating drinks or drugs. He/she shall not be under the influence of any intoxicating drink or drug during the course of duty and shall not appear in a public place in a state of intoxication.

(16) Private Trade:—

(i) an employee of a recognised school shall not engage, directly or indirectly in any trade or business including the business of insurance agency, commission agency, banking or family business;

(ii) an employee of a recognised school shall not take part in the registration, promotion or management of any bank or other company which is required to be registered under the Companies Act, 1956 (Central Act No. 1 of 1956);

(iii) an employee of a recognised school may take part with prior permission of the School managing committee in the registration, promotion or management of any co-operative society, to be registered under the Societies Registration Act, 1860 with aims and objectives related to promoting sports, cultural or recreational activities.

(17) Tuition and part-time Work by School Employees:

(i) an employee of a recognised school shall not give private tuitions, with or without remuneration or shall not get associated directly or indirectly with any coaching class which prepares pupils for internal or external examinations of a school or any examining body;

(ii) a day school employee may work in a recognised Night School with the prior permission of the School managing committee of the day school;

(iii) the employee of a recognised school shall be free to accept work pertaining to the conduct of any examination held by any statutory examining body or a body recognised by the Directorate of Education, the State Government or Government of India and may receive remuneration as per specified rates by that examining body.

(18) Application for Other Employment:—

(i) an employee of a recognised school, desiring to apply for employment under a different management, shall submit such an application through the management of the present school;

(ii) the Manager of a school shall ensure that the application received from an employee is forwarded within seven days.

(19) Submission of representation:—

(i) all representations should be routed through proper channels;

(ii) the employee of recognised school shall not be entitled to submit any joint representation and such an act shall amount to subversion of discipline.

(20) Permission to proceed abroad:—

An employee of a recognised school shall not proceed to any foreign country without the prior permission of the School managing committee.

121. *Enforcement of Code of Conduct.* — An employee of a recognised school shall be liable for disciplinary action for breach of the afore-specified Code of Conduct and other general rules of discipline and conduct as may be laid down by the Government from time to time.

CHAPTER XV

DISCIPLINARY ACTION

122. *Disciplinary Authority.* — (1) The Chairman of School managing committee of an aided school shall be the Disciplinary Authority for initiating disciplinary proceedings in respect of all employees of a recognised school including the Head of the institution. The Chairman of the School managing committee shall also be the Disciplinary Authority for imposing all penalties, except the penalty of removal/dismissal from service.

(2) The School managing committee shall be the Disciplinary Authority for all the employees including the head of the school only in the case of imposing major penalty of removal/dismissal from service.

123. *Suspension.*— (1) Subject to the provisions of sub-section (3) and (4) of Section 11 of the Act, the Disciplinary Authority of a school may place an employee under suspension when disciplinary proceedings are contemplated or pending against that employee in any of the following events:—

(i) Where a prima facie case is made that the continuance of that employee in the office is likely to prejudice the investigations, trial or enquiry by way of providing an opportunity to that employee to tamper with the documentary evidence or witnesses;

(ii) Where a case against that employee in respect of any criminal offence of serious nature is under investigation or trial and the same is made known with authentic documentary evidence or witness;

(iii) Where a prima facie case is made out against the employee about having committed an offence of moral turpitude misappropriation, corruption or embezzlement;

(iv) Where a prima facie case is made out against the employee for being involved in any public scandal;

(v) Where a prima facie case is made out against the employee for having committed an offence of serious negligence and dereliction of duty resulting in considerable financial loss to the school;

(vi) Where a prima facie case is made out against the employee for having committed such an offence that thereafter the continuance of that employee in the school is likely to seriously subvert the discipline in the school;

(vii) Where a prima facie case is made and accordingly the employee is charged with misbehaviour towards a pupil, any parent, any other employee of the school, or an officer of the Directorate of Education;

(viii) Where a prima facie case is made and the employee is charged with breach of any provision of the Code of Conduct under these Rules or such other provisions under these Rules which warrant suspension of that employee in public interest;

(2) Where an employee of a recognised school is convicted and detained in custody for a period exceeding forty-eight hours, such employee shall be deemed to have been placed under suspension by an order of the Disciplinary Authority with effect from the date of detention and a formal order of suspension shall be issued by the Disciplinary Authority through the authorised office bearer and the same shall be communicated to the Director of School Education.

(3) An order of suspension, save as provided in sub-rule (4) below, shall not remain in force for more than six months subject to the provisions of section 11 of the Act.

(4) Where an employee is detained in custody for a period exceeding six months, the suspension deemed to have been made in such case under provisions of sub-rule (2) above, shall remain in force for the entire period of detention.

(5) An order of suspension made or deemed to have been made under this rule may at any time be modified or revoked by the authority which made or deemed to have made the order.

(6) Where an employee of a recognised school is placed under suspension by the Disciplinary Authority, in contravention of the provisions of section 11 of the Act, or any of the provisions under these Rules, the Director of School Education shall be competent to appoint a Drawing and Disbursing Officer to effect the payment of salaries of that employee and an amount equal to the salary so drawn and disbursed by the Drawing and Disbursing Officer shall be liable for deduction from the non-salary grant of these and no separate intimation to the management shall be necessary to that effect.

124. *Head Quarters during suspension.*— An employee of a recognised school under suspension shall not leave Head-quarters without prior permission of the Disciplinary Authority.

125. *Subsistence Allowance.*— (1) An employee of a recognised school placed under suspension or deemed to have been placed under suspension by an order of the Disciplinary Authority, shall be entitled to the following payments, namely:—

(i) a subsistence allowance which shall be equal to half of the basic pay drawn by that employee immediately before enforcing the suspension of that employee;

(ii) dearness allowance as admissible from time to time on the subsistence allowance at the same rate as admissible to pay equal to that subsistence allowance;

(iii) Any other compensatory allowance, admissible from time to time on the basis of the pay which the concerned employee was in receipt on the day of suspension, subject to the fulfilment of other conditions laid down for the drawing of such allowances.

(2) Where the period of suspension or deemed suspension is extended or exceeds six months and in the opinion of the Disciplinary Authority, the period of suspension has been prolonged for reasons not directly attributable to the employee, the Disciplinary Authority shall increase the subsistence allowance by fifty percent of the rate of subsistence allowance admissible for the period of the first six months of suspension. The employee under suspension shall be eligible for all other allowances as envisaged in sub-rule (1) above.

(3) Where the period of suspension or deemed suspension is prolonged beyond six months and in the opinion of the Disciplinary Authority, the reasons for such extension of suspension are directly attributable to the employee, the subsistence allowance may be reduced by the Disciplinary Authority provided that such reduction shall not exceed fifty percent of the subsistence allowance drawn by the employee immediately before the extended period of suspension.

The employee under suspension shall also be eligible for all other allowances as envisaged in sub-rule (1) above

(4) The payment of subsistence and other allowances as admissible shall not be made to the suspended employee unless such a suspended employee furnishes a certificate that he/she is not engaged in any other employment, business, profession or vocation. The suspended employee is further required to regularly attend the school as per directions of the Disciplinary Authority.

(5) Where an employee who is suspended or is deemed to have been suspended is dismissed, removed or compulsorily retired from service and when such an employee fails to produce the certificate as per sub-rule (4) above for any period during suspension, such an employee shall be entitled to the portion of subsistence allowance and other allowances for the respective periods to the extent of actual difference arrived at after deduction of the earnings of that employee from the admissible sum of subsistence allowance and other allowances thereon, for the respective periods, for which the required certificates are not produced by the suspended employee.

(6) Notwithstanding anything stated above, an employee who is placed under suspension as a result of detention in custody for 48 hours, he/she shall be entitled to subsistence allowance as per normal rules.

(7) Where a suspended employee is exonerated after disciplinary proceedings or is acquitted honourably after the conclusion of the criminal proceedings, as the case may be, the dues and allowances of that employee for the entire period of suspension shall be paid after deducting the amount already paid towards subsistence allowance and other allowances thereon.

The entire salary difference payable under sub-rule (7) shall be the financial liability of the management of that school.

The Director of School Education shall be competent to review the suspension imposed on any employee by the Disciplinary Authority in contravention to any provisions of the Rules or if the Disciplinary Authority fails to complete the disciplinary action against the suspended employee within the period of suspension approved by the Director of School Education.

(8) An employee who has been reinstated as provided under sub-rule (9) above or reinstated by the Disciplinary Authority without taking any disciplinary action, shall be deemed to have been on duty and shall be entitled for full salary and allowances for the entire period of suspension on the charge of the School management and shall not be admissible for grants. The subsistence allowance paid, if any, shall be deducted from the non-salary grant payable to the school and whenever the school is not in receipt of any non-salary grant, the subsistence allowance paid to such employee shall be the personal liability of the School management which shall be responsible to refund the entire amount to the Government.

(26) *Clarification on matters pertaining to suspension and subsistence allowance.*—Notwithstanding anything contrary in

the provisions of the Act, and these Rules, all other matters pertaining to suspension and payment of subsistence allowance to the employees of an aided school shall be governed as are applicable to corresponding categories under Government institutions.

127. *Types of penalties.*—(1) The following penalties may, for good and sufficient reasons, including breach of one or more than one provisions of the Code of Conduct as specified in these Rules, be imposed on an employee of a recognised school, namely:—

(A) *Minor Penalties:*—

- (i) Censure;
- (ii) Recovery from pay, the whole or part of any pecuniary loss caused to the school, by negligence or breach of any orders;
- (iii) Withholding increment of pay;
- (iv) Withholding of the promotion.

(B) *Major Penalties:*—

- (i) Reduction in rank;
- (ii) Compulsory retirement;
- (iii) Removal from service which shall not be a disqualification for future employment in other recognised schools;
- (iv) Dismissal from service which shall ordinarily be a disqualification for future employment in any recognised school.

(2) Any other action save as mentioned under sub-rule (1) above, such as, stoppage at efficiency bar, retirement on superannuation, voluntary retirement, reversion to lower post for non-availability of post in the higher rank, termination of services for failure to acquire training within permitted period, etc., shall not amount to a penalty within the meaning of this rule.

128. *Procedure for imposing minor penalties.*—(1) No order imposing any of the minor penalties on an employee shall be made except after an inquiry held in the manner provided hereafter under this rule.

(2) The Disciplinary Authority shall deliver or cause to deliver to the employee:—

- (i) a copy of the memorandum informing the employee of the proposal to take action against that employee and also directing that employee to make within a specified time, a written statement of defence and to state whether any hearing in person is desired;
- (ii) a copy of the articles of charge;
- (iii) the statement of imputations of misconduct or misbehaviour;
- (iv) a list of documents and witnesses by which each article of charge is proposed to be sustained;

(3) On receipt of the statement of defence from the employee, the Disciplinary Authority may appoint an Inquiry Officer to conduct enquiry into the articles of charge as are not admitted by the employee.

(4) The employee shall appear before the Inquiry Officer on such day, time and place as may be directed by the Inquiry Officer.

(5) After the conclusion of the inquiry, a report shall be prepared by the Inquiry Officer incorporating therein his findings on each article of charge, reasons thereof and the assessment of evidence. The Inquiry Officer shall submit the report of inquiry to the Disciplinary Authority of the school.

(6) If the Disciplinary Authority, after examining the findings on all or any of the articles of charge, is of the opinion that any of the minor penalties specified in clause (A) of sub-rule (1) of rule 127 should be imposed on the employee, it shall make a self-contained speaking and reasoned order, imposing such penalty on that employee.

(7) The imposition of any of the penalties under this rule shall not itself disqualify the employee for promotion to higher grade.

129. *Procedure for imposing major penalties.*—(1) No order imposing on an employee, any of the major penalties as specified in Clause (B) of sub-rule (1) of rule 127 shall be made except after an inquiry held in the manner provided hereafter in this rule.

(2) Where the Disciplinary Authority proposes to take action against an employee of a recognised school for imposing major penalty, it shall, cause to inquire into, by appointing an Inquiry Officer, the imputation of misconduct or misbehaviour by following the same procedure as is applicable to employees of identical cadre under Government schools.

(3) The Disciplinary Authority shall appoint a Presenting Officer to present their case to the Inquiry Officer.

(4) For purpose of this rule, matters pertaining to provisions, scope and interpretations as applicable to employees of identical cadre under Government schools shall apply to the employees of recognised schools.

(5) On conclusion of the inquiry, the Inquiry Officer shall prepare a report of the inquiry as per provisions as applicable to employees of Government school and submit the same to the Disciplinary Authority.

(6) *Decision by the Disciplinary Authority*:-

The Disciplinary Authority shall consider the records of the inquiry conducted by the Inquiry Officer and shall thereafter record its findings on each of the charges. If the Disciplinary Authority thereafter, is of the opinion that any of the major penalties should be imposed on the employee concerned, it shall:-

(i) give a notice in writing to the employee, stating clearly therein the exact action proposed to be taken and shall also direct to submit within the specified time, not exceeding two weeks, a representation as may the employee wish to do so, against the proposed action;

(ii) furnish to the employee a copy of the report of the Inquiry Officer, along with the notice referred to in sub-rule (i) above.

(7) On receipt of the representation, if any, made by the employee as provided in sub-rule 6(i) above, the Disciplinary Authority shall determine as to whether the penalty as proposed shall be imposed or not and accordingly act in the matter. All papers shall be placed before the School managing committee in case the penalty proposed is removal/dismissal from service.

(8) The records to be submitted to the School managing committee shall include:-

(i) proposal for imposing penalty of removal/dismissal from services;

(ii) inquiry report of the Inquiry Officer;

(iii) copy of statement of articles of charges;

(iv) statement of imputations of misconduct or misbehaviour;

(v) copy of the statement of defence, if any, submitted by the employee;

(vi) copies of final submission, if any, submitted by Presenting Officer and the employee;

(vii) copies of the documentary evidences produced during the inquiry and statement of witnesses;

(viii) copy of representation submitted if any, by employee after communication of proposed action of imposition of major penalty.

(9) On receipt of the records as per provision of sub-rule (1) the School managing committee may call for any other record if deemed necessary and after careful consideration, make speaking order approving or disapproving the proposal as may be deemed necessary.

(10) *Order of Communication*:-

The Disciplinary Authority shall cause to make the order of communication and shall supply the same to the concerned employee.

(11) *Appeal*:-

(i) In all cases, except in the case of imposition of penalty of removal/dismissal from service, the School managing committee shall be the Appellate Authority;

(ii) In the case of imposition of penalty of removal/dismissal from service, the Director of School Education shall be the Appellate Authority.

130. *Payment of arrears on reinstatement*.—(1) When an employee who has been dismissed, removed or compulsorily retired from services, is reinstated as a result of appeal or would have been so reinstated but for the retirement of that employee on

uperannuation while under suspension, preceding the dismissal, removal or compulsory retirement, as the case may be, the Chairman of the School managing committee shall make a specific order:-

(i) With regard to the arrears of salary and allowances to be paid to the employee for the period of absence from duty, including the period of suspension preceding the dismissal, removal or compulsory retirement, as the case may be; and

(ii) Whether or not the said period shall be treated as period spent on duty.

(2) Where an employee who has been dismissed, removed or compulsorily retired from service has been fully exonerated as a result of appeal, the employee shall be paid the full salary and allowances to which that employee would have been entitled had he not been dismissed, removed or compulsorily retired from services or suspended. The entire salary payable to the employee shall be on the charge of the management and shall not be admissible for grants.

(3) When the proceedings instituted against the employee have been delayed due to reasons directly attributable to the employee, such an employee shall be paid only such part of the salary and allowances as may be determined by the Chairman of the School managing committee for the period of delay.

(4) In the case under sub-rule (3), the Chairman of the School managing committee shall give reasonable opportunity to the employee to make representation as to why such a reduction in salary should not be affected.

(5) The salary and allowances determined under sub-rule (3) shall not be less than the monthly subsistence allowance and other allowances thereon as would have been admissible for the first six months of suspension.

131. *Termination of services of an employee.*— (1) Services of a temporary employee may be terminated by the management of a school, by following the procedure as is applicable to the counterpart of such employee under Government schools.

(2) Services of an employee on probation or extended probation may be terminated by the School management by giving notice of one month if the work and conduct of the employee during the period of probation or extended period of probation is not satisfactory.

Provided that, the work and conduct of the employee shall be found to be unsatisfactory with the defects/acts needing improvement and are brought to the notice of the employee, in writing, and sufficient opportunity is given to overcome the defects/short-comings.

(3) Services of a permanent employee of a recognised school may be terminated by the Disciplinary Authority, viz. School managing committee after following the procedure laid down in rule 129 of these Rules.

CHAPTER XVI

RECRUITMENT AND SERVICE CONDITIONS OF EMPLOYEES OF NON-GOVERNMENT SCHOOLS

132. *Coverage by provisions of this chapter.*— The provisions under this chapter shall apply to non-Government schools and employees therein.

133. *Maintenance of adequate Staff.*— (1) Every school shall appoint adequate and qualified teaching and non-teaching staff as admissible under these Rules and as may be sanctioned by Government from time to time.

(2) Every school shall carefully plan the appointments of properly qualified teaching staff within admissible limits.

(3) Frequent changes in the staff shall be strictly avoided and any such change beyond ordinary requirement shall be construed as a matter of mal-administration of the school.

(4) All posts substantially created or fallen vacant shall be filled in by appointing qualified persons by regular appointments, on contract or otherwise.

134. *Cadres of the Staff.*— Following shall be the cadres of the teaching and non-teaching staff required to be appointed in the schools and Primary Teachers' Training Institutions, as may be permitted by the Director of School Education:-

A. *Teaching Staff:*—

(i) Principal - Head of the Higher Secondary School/ Primary Teachers' Training Institute.

(ii) (a) Vice-Principal for Higher Secondary School/ Primary Teachers' Training Institute.

(b) Headmaster (Secondary) - Head of the Secondary School.

(iii) (a) Teacher Grade I or Post-Graduate Teacher for Higher Secondary School and Primary Teachers' Training Institute.

(b) Assistant Headmaster for Secondary School.

(c) Headmaster for Middle School.

(iv) Teacher Grade II or Graduate Teacher for Secondary School and Primary Teachers' Training Institute.

(v) Teacher Grade III or Under-Graduate Teacher for Middle or Primary Schools.

(vi) Special Teachers for different non-academic subjects (Physical Education Teacher, Drawing Teacher, Art and Craft Teacher, Music Teacher, etc. (Each of these teachers shall have their own separate cadre).

(vii) Librarian

B. *Non Teaching Staff*

- (i) Accountant
- (ii) Head Clerk
- (iii) Upper Division Clerk
- (iv) Lower Division Clerk
- (v) Laboratory Assistant
- (vi) Library Attendant
- (vii) Laboratory Attendant
- (viii) Group 'D' employees (Peon, Sweeper, Watchman, Scavenger, etc.)
- (ix) Any other staff as may be permitted by the Directorate of Education from time to time.

135. *Admissibility of Teaching Staff*.— Subject to the revision by the Government from time to time, the aided schools shall be eligible to appoint teaching staff as per following norms :-

A. *Pre-Primary and Primary Schools*.— The number of teachers Grade III in a recognised Pre-primary and Primary School shall be as per pupil-teacher ratio as may be laid down by Government from time to time (See Appendix No. 1).

B. *Middle Schools*

(i) The admissible posts of teachers for a middle school having classes of any one or two standards of the middle stage, shall be calculated, on the basis of an average weekly instructional workload of 21 hours per week per teacher. Any fraction upto 0.4 shall be ignored and a fraction of 0.5 or above shall be rounded off to one.

(ii) When a middle school has classes of all the three standards of the middle stage (Standards V - VII), that school shall be entitled to appoint one Teacher Grade II and remaining as Teacher Grade III, within the admissible number of total teachers which shall be decided by the procedure as in (1) above.

C. *Secondary Schools with classes from Standards V - X*

The total number of admissible teachers in a full-fledged secondary school having classes of middle stage and of Standard VIII or above and upto Standard X shall be calculated on the basis of average instructional workload of 21 hours per week per teacher, excluding the specified instructional workload shared by the Headmaster and Assistant Headmaster. The procedure for calculation of the admissible teaching staff shall be as follows :-

(i) The total weekly instructional workload for all classes from Standard V onwards shall be worked out by adding normal workload of core subjects and the additional workload for such optional subjects as are required.

(ii) The instructional workload borne by the Headmaster and the Assistant Headmaster shall be deducted from the total instructional workload as calculated in (1) above. The number of teachers as shall be required to share the remaining instructional workload shall be calculated at the rate of 21 hours per

week per teacher. Any fraction of 0.5 and above shall be rounded off to one. The number of teachers required/added to the number of posts of Headmaster and Assistant Headmaster/s shall indicate the total admissible number of teaching staff.

(iii) The number of Teachers Grade II in an aided high school shall not be more than 70 per cent of the total number of Teachers Grade II and Teachers Grade III taken together (The special teachers shall be excluded when working out this ratio). The number of teachers Grade II and the Teachers Grade III shall be worked out as below :-

(a) When the total number of divisions in Standards V to VII is equal to that in Standards VIII to X :-

The total number of Teachers Grade III shall be 30% of the number of teachers arrived at after excluding the number of posts of the Headmaster, the Assistant Headmaster/s, and the special teachers of the non-academic subjects from the total admissible number of teaching staff as worked out as per C (ii) above. The remaining number shall be Teachers Grade II.

(b) When the total number of divisions in Standards V to VII is less than that of Standards VIII to X :-

In this case the number of different cadres of teachers shall be worked out as in case (a) above.

(c) When the total number of divisions in Standards V to VII is more than that of Standards VIII to X :-

In this case first the total number of admissible teachers shall be worked out for all the divisions as per C (ii) above. Thereafter the total number of the Teachers Grade II admissible for the school shall be worked out as in (a) above by considering the number of divisions in Standards V to VII as equal to that in Standards VIII to X. The number of admissible Teachers Grade III shall be calculated by deducting the number of Teachers Grade II already decided, the number of existing special teachers, Headmaster and Assistant Headmaster, from the total number of admissible teachers as worked out for all the divisions.

(iv) The post of Headmaster (Middle School) shall be admissible within total admissible teachers only if the school has classes upto Standard VII.

(v) A middle school, when upgraded with classes upto Standard IX shall be entitled for a post of a Headmaster (Secondary), and the post of Headmaster (Middle), if any, sanctioned to that school earlier, shall be abolished.

(vi) A full-fledged Secondary School having classes of Standards V to X shall be entitled for additional posts of Assistant Headmasters as below :-

(a) One post of Assistant Headmaster if the total number of divisions of Standard V to X is 15 to 30;

(b) One additional post of Assistant Headmaster for additional fifteen divisions or part thereof.

D. Higher Secondary School

(i) The number of posts of Teachers Grade I in a Higher Secondary School (Standards XI to XII) shall be decided on the basis of subject-wise workload, of 21 hours per week required to be borne by each teacher. In case a teacher does not have full subject workload of 21 hours per week he/she shall be assigned additional work in other subjects to make up for the deficiency.

(ii) A Higher Secondary School having Secondary Section shall be entitled for separate teachers for secondary sections as per admissibility under part C of this rule.

(iii) No post of Principal will be sanctioned if a Higher Secondary institution has a student strength of less than 120.

(iv) In the case of a Higher Secondary School having a total student strength of less than 120, a senior Teacher Grade I shall be in charge for which a charge allowance of Rs. 500/- per month shall be sanctioned.

(v) In the case of a Higher Secondary School having a total student strength ranging between 120 and 300, the School shall be entitled for the post of Principal in a lower scale. (Refer to Appendix No. II). However, in case of marginally higher student enrolment that is up to 140, the post of Principal in lower scale will be considered only when the enrolment upto 140 remains stable for a minimum period of three consecutive years.

(vi) In the case of High School and Higher Secondary School under the same Management and in the same campus with combined strength of less than 500 students, the school shall be treated as one unit and the Headmaster of the High School or Senior Teacher Grade I shall be granted charge allowance of Rs. 500/- per month.

(vii) In the case of a Higher Secondary School having a total student strength of above 300, the school shall be entitled to the post of Principal in a higher scale. (Refer to Appendix No. II). However, in the case of marginally higher student enrolment that is upto 350 the post of Principal in the scale of Rs. 10,000 to 15,200 will not be sanctioned immediately but will be considered only if the enrolment upto 350 remains stable for a minimum period of three years.

(viii) A Higher Secondary School shall be entitled for a post of Vice-Principal as per norms as may be decided by the Government from time to time.

(ix) A Higher Secondary School shall be entitled to appoint teachers on lecture basis for those subjects of Higher Secondary Section, for which the workload is less than eleven hours per week.

E. Primary Teachers' Training Institute

A Primary Teachers' Training Institute shall be eligible for one post of Principal and such number of posts of Vice-Principal, Post-Graduate Teachers, Graduate teachers and Special teachers as per norms as may be decided by the Government from time to time.

136. Admissibility of Librarian and Non-teaching Staff
Aided schools shall be entitled for the posts of Librarian and non-teaching staff as per norms as may be decided by the Government from time to time (See Appendix No. III).

137. Creation of Posts -- (1) In case due to increase in enrolment/divisions/classes a need arises to create a teaching or non-teaching post, the same shall not be created without obtaining the prior permission of the Director of School Education.

(2) For the purpose of creation of a teaching post, a proposal to that effect shall be submitted to the Director of School Education along with the information of division-wise workload and existing staff as may be directed by the Director of School Education.

(3) For the purpose of creation of a post of non-teaching staff, the proposal shall incorporate such data as may be required by the Director of School Education to decide the admissibility of such non-teaching staff within the norms specified by the Government.

(4) A vacancy arising due to resignation or death of an employee may be filled in by the school without prior permission of the Director of School Education unless there are contrary instructions by him/her.

138. Recruitment Rules for the Staff -- The qualifications, experience and the upper age limit for purpose of direct recruitment and promotion for various posts shall be as specified by the Government from time to time (See Appendix No. II).

139. Constitution of Selection and Promotion Committee (SPC) -- (1) The managing Committee of a school shall constitute a Selection and Promotion Committee (SPC) in order to decide and recommend candidates for filling a post by direct recruitment or promotion.

(2) The Selection and Promotion Committee (SPC) shall be constituted with members as below --

	Posts to be filled	Members of the SPC
(A)	Head of Secondary School, Principal or Vice-Principal of Higher Secondary School or Primary Teachers Training Institute.	(i) Chairman of the School managing committee as Chairman of SPC. (ii) A Head of a recognised institution, of the category of the post proposed to be filled. (iii) One duly qualified person from the field of education, as may be invited by the School managing committee, as an expert.

Posts to be filled :-	Members of the SPC	(i) merit;
(B) Assistant Headmaster/ Teacher Grade I/Head of Middle School.	(i) The Chairman of the School managing committee as Chairman of the SPC.	(ii) seniority. (iii) meeting the requirement of subject expertise in the case of teaching posts upto the level of Teacher Grade I.
	(ii) Head of the school or in the absence of whom, the Head of any other recognised High or Higher Secondary School.	(4) The claim of senior qualified persons shall not be arbitrarily set aside without tangible reasons.
	(iii) A subject specialist as may be invited by the School managing committee.	(5) Notwithstanding anything contained in these Rules, in a school which is exclusively run for girls (Standard V upwards) a lady teacher, fulfilling the conditions as per sub-rule (4) above shall be eligible for appointment as Headmistress/Principal, irrespective of her seniority vis-a-vis the male teachers.
(C) For any other teaching posts.	(i) The Chairman of the School managing committee as Chairman of the SPC.	(6) Vacancy of post of Principal/Headmaster shall be filled on the basis of merit.
	(ii) Head of the school.	(7) <i>141. Preliminary action for direct recruitment.</i> A school desirous of filling up a post by direct recruitment shall be required to take the following advance action :-
	(iii) A subject specialist or educationist as may be invited by the School managing committee.	(i) the school shall obtain advance permission from the Director of School Education, to create and fill the post by direct recruitment;
(3) The members of selection and promotion committee (SPC) for promotion/recruitment to a non-teaching post shall be the first two members indicated in sub-rule (2) (C) above.		(ii) the post shall be notified to the local Employment Exchange Office at least four weeks in advance before the date fixed for interview. The acknowledgement of that office shall be obtained for the receipt of the letter notifying the vacancy;
(4) The School managing committee by passing a resolution to that effect, may appoint any other member of the School managing committee to replace the Chairman of the School managing committee, to represent him/her at the selection and promotion committee (SPC) and to function as Chairman of the SPC.		(iii) applications may be also invited by advertising the post in the local newspaper/s by giving detailed requirements for the post, in unambiguous terms and also with the full address of the school;
(5) Where a candidate being considered for recruitment/promotion to any post is related to any member of the selection and promotion committee constituted under sub-rule (2) or (3) or (4) above, such a member shall not participate in the selection process and the School managing committee shall replace that member by nominating any other member.		(iv) the time-limit for receipt of applications shall not be less than two weeks from the date of advertisement.

(3) The members of selection and promotion committee (SPC) for promotion/recruitment to a non-teaching post shall be the first two members indicated in sub-rule (2) (C) above.

(4) The School managing committee by passing a resolution to that effect, may appoint any other member of the School managing committee to replace the Chairman of the School managing committee, to represent him/her at the selection and promotion committee (SPC) and to function as Chairman of the SPC.

(5) Where a candidate being considered for recruitment/promotion to any post is related to any member of the selection and promotion committee constituted under sub-rule (2) or (3) or (4) above, such a member shall not participate in the selection process and the School managing committee shall replace that member by nominating any other member.

140. Filling up the post by promotion. (1) A vacancy in a school shall be filled by promotion from the existing cadre in accordance with the conditions set out in the Recruitment Rules (See Appendix No. II).

(2) The management shall seek in advance the permission of the Director of School Education to fill the post proposed to be filled by promotion.

(3) The selection and promotion committee shall meet and consider the promotion of eligible employees in the existing cadre, in the order of their seniority and merit for promotion.

(4) The eligibility for promotion shall be subject to :

(i) fulfillment of requirements of conditions for promotion as per Recruitment Rules;

142. Processing of applications for direct recruitment. (1) All the applications received by the school for direct recruitment to a post, shall be carefully scrutinised and calls for the interview should be sent only to those applicants who fulfill the requirements for the post as per Recruitment Rules.

(2) The candidates who do not meet the requirements of the Recruitment Rules shall not be called for the interview. However, their applications should be maintained separately for at least the next six months for scrutiny by the officers of the Directorate of Education.

(3) Calls for the interview shall be ordinarily sent under Certificate of Posting, to all candidates who meet the requirements of the Recruitment Rules.

(4) Two separate lists with full bio-data of candidates who are called for the interview and who are not called for the interview, shall be prepared showing details of their qualifications, experience, etc. Both lists shall be made available for inspection on demand by officers of the Directorate of Education.

143. Applications of employed candidate. (1) An advance copy of the application, if received from a candidate who is already

employed in some other institution/establishment may be provisionally accepted. Such a candidate shall be required to produce the original copy of the application on or before the day of interview, the same duly endorsed by the competent forwarding authority of that institution/establishment.

(2) If an employed candidate for some convincing valid reasons, cannot submit the original application as per sub-rule above, it shall be within the competence of the School managing committee to admit such candidate for interview on the strength of the advance copy of the application, provided that the candidate concerned satisfies the School managing committee that he/she had submitted his/her application to the management of his/her institution to forward the same for the new post. However, if such a candidate is selected for the post the entire case shall be submitted to the Assistant Director of School Education of the Zone for investigation. The said selected candidate shall not be given offer of appointment without the final decision of the Director of School Education.

144. Prohibited appointments.— Candidates falling in any of the following categories shall not be appointed against any vacancy in a school:-

- (i) a person who is found medically unfit or suffering from any contagious disease as certified by a Medical Officer/ Health Officer;
- (ii) a person, not covered by any special personal law, having two living spouses without obtaining divorce from one of them from any competent court;
- (iii) a candidate married to a person who has a living spouse without divorce from any competent court;
- (iv) a foreign National, except in case of any Government sponsored programme of a fixed period.

145. Appointment on compassionate grounds.— Notwithstanding anything contained in these Rules, the management of a recognised school run by an Educational Society/Trust may propose to appoint a member of the family of an employee who dies while in service against a suitable vacancy in any recognised school in this State but run by the same Educational Society/ Trust subject to the following conditions:-

- (i) the provision under this rule shall be limited to only one member of the family of the deceased employee;
- (ii) appointments on compassionate grounds shall be made only against posts for direct recruitment;
- (iii) the person proposed for such direct recruitment shall satisfy the conditions under Recruitment Rules;
- (iv) the benefit of employment under this rule shall be limited to the surviving spouse, sons and unmarried daughters of the deceased employee.

146. Selection procedure and preparation of merit list.— (1) The Selection and Promotion Committee shall prepare a list of all

the candidates called for the interview. The list shall incorporate the details of bio-data such as, name, date of birth, academic and professional qualifications with class and subjects, additional qualifications, experience, employment registration number in this State and such other information as is relevant for assessment of eligibility.

(2) All the candidates shall be assigned scores on a pre-decided rational scale for educational and professional qualifications, additional qualifications and experience.

(3) All the members of Selection and Promotion Committee shall separately assess the performance in the interview, personality traits, subject knowledge and any other aspects as may be felt necessary, on the pre-decided scale. The average of the scores of each of the evaluated aspects, shall be added to the scores assigned under sub-rule (2) above, so that the total average scores earned by each candidate are obtained for deciding comparative merit.

(4) A merit list shall be prepared on the basis of the total scores earned by the candidates as per sub-rule (3) above. The appointments of the candidates shall be in accordance with the order of the merit in this list.

(5) In the case of selection of a Teacher Grade III, there shall be only one common merit list of all the candidates and the same shall be followed for the appointments according to the order of merit.

(6) The final evaluation sheet prepared by incorporating averages of the scores as per sub-rule (4) above, shall be duly signed by all the members of the Selection and Promotion committee, by recording the date.

147. Validity of the Selection list.— A selection list prepared for filling a post shall be valid for twelve months from the date of the interview held. Any vacancy arising in the school during the validity period of this selection list, may be filled by appointing the selected candidate in the order of merit in the said list.

148. Appointing Authority.— (1) The School managing committee of the school shall be the Appointing Authority.

(2) When the management of a school is taken over by the Government, the powers exercised by the School managing committee of the school shall stand vested in the Authorised Officer/Body and the action taken by it shall be deemed to be action taken by the management.

149. Dispute about selection.— The selection made by the Selection and Promotion Committee for direct recruitment or promotion shall be approved by the School managing committee before making appointments. Where any selection made by the Selection and Promotion Committee is not acceptable to the School managing committee, the School managing committee shall order for fresh process of Selection/Promotion for reasons to be recorded in writing.

150. Consent of the School managing committee for appointments.— (1) The School managing committee, after

accepting the recommendations of Selection and promotion committee shall resolve to appoint the candidate/s accordingly and record the resolution in the Minutes book.

(2) The Chairman of the School managing committee, after recording the resolution for appointment as per sub-rule (1) above, shall direct the Manager or any other member of the School managing committee authorised to do so for the purpose, to issue offer/s of appointment to the selected candidate/s and to issue appointment letter/s, on behalf of the School managing committee, in accordance with the provisions under these Rules.

(3) The appointment letter issued by the authorised member of the School managing committee shall be deemed to have made by the School managing committee.

(4) Any case of irregular appointments shall render the management open to action under section 5 of the Act as well stoppage and recovery of grants.

151. Offer of appointment and issue of appointment letter.— (1) The selected candidate shall be first issued a letter of offer of appointment, by the authorised member of the School managing committee, in Form No. VIII hereto.

(2) The letter of offer of appointment shall indicate the nature of appointment and the required date of joining for duties and direct the candidate to communicate within specified time-limit, the acceptance of the offer.

(3) If the candidate fails to either communicate the acceptance of offer within the stipulated time-limit or accepts the offer but fails to join duties on the stipulated day and time, the management shall be free to treat the offer of appointment as cancelled.

(4) The candidate shall be informed to produce the following documents at the time of joining duties:—

(i) the original certificates of educational and professional qualifications, testimonials and experience, with one attested true copy of each of the same;

(ii) a medical fitness certificate issued by a Government Medical Officer/Health Officer declaring the candidate free from any contagious disease and medically fit for employment.

(iii) a character certificate issued by a Member of Parliament or Member of Legislative Assembly of this State or a Gazetted Officer or Head of a recognised college. The person issuing the character certificate shall not be related to the candidate.

(iv) an attested copy of the Employment Exchange Registration Card from this State along with the original card.

(5) The candidate at the time of joining his/her duties shall not only submit the documents as indicated under sub-rule (4) above, but shall also be required to submit a joining report. He/she shall be immediately issued an appointment letter by the Manager/ Authorised Member of the School managing committee indicating therein the date of appointment, scale of pay, basic pay

offered, nature of appointment and any other conditions as may be required under these Rules in Form IX hereto.

(6) No candidate shall be appointed from any day prior to the day of meeting of the Selection and Promotion Committee to decide the selection/promotion of the candidate.

(7) The original certificates of educational and professional qualifications, testimonials, experience certificates and employment registration card shall be returned to the candidate after the head of the school has verified the attested true copies. All the copies of the said certificates, the original character certificate and medical fitness certificate shall be retained in the personal file of the employee, along with the copies of letter of offer of appointment, letter of acceptance of appointment, letter of appointment and joining report.

(8) It shall be entirely the responsibility of the School managing committee to ascertain the reliability and validity of all the certificates before giving the letter of appointment to the selected candidate. In case any of the certificates submitted by the appointed candidate are found false and unacceptable, at any stage, rendering thereby the candidate disqualified for appointment, the entire grant paid towards salary, allowances and such other claims as admitted for payment to that employee shall be liable to be recovered from the non-salary grant of the school.

152. Relaxation of academic or training qualification and experience.— (1) The School managing committee of a school shall not appoint a candidate who does not have the minimum academic qualifications specified under Recruitment Rules for that post.

(2) Any case involving relaxation of Recruitment Rules shall be referred to the Director of School Education for decision.

(3) The Director of School Education shall not grant relaxation in the matter of training qualifications when trained candidates are available to meet the subject requirement.

For the purpose of subject requirement the grouping of subjects upto secondary level shall be as below:

(i) Humanities and Languages:

(ii) Physical Sciences including Mathematics;

(iii) Language at first level;

(iv) Languages at second and third level;

(v) Physical Education, N.S.S., N.C.C., Drawing, Work Experience, Scouting and Guiding, Junior Red Cross, etc.

(4) In order to avoid recruitment of untrained teachers or teachers without minimum academic and training qualifications as specified under Recruitment Rules, a school shall carefully plan the recruitment at all levels and also provide sufficient flexibility for reshuffling.

153. Age limit for recruitment.— (1) The minimum and maximum age-limit laid down for recruitment to different categories of staff in a school shall be the same as may be specified

by the Government for recruitment to corresponding posts in Government institutions.

(2) The upper age limit shall be relaxed in the case of candidates belonging to Scheduled Castes, Scheduled Tribes or any other specified categories, to such an extent as may be specified by the Government for recruitment for corresponding posts in Government institutions.

(3) The Director of School Education shall be competent to relax the upper age limit in cases when:-

(i) an employee of an institution competes for direct recruitment for a higher post in the same institution;

(ii) an employee of a school migrates to another school;

Provided that the employee must be moving from teaching to teaching or from non-teaching to non-teaching category only. Provided further that the relaxation in the age limit shall be equal to the period of service already put in.

(4) In the case of a candidate who is not currently in the employment of any recognised school, the Director of School Education shall be competent to relax the upper age limit for direct recruitment of that candidate to a teaching post, upto the extent of period equal to that period of service put in by that candidate in the past, as an under-graduate, graduate and/or post graduate teacher in any recognised institution in this State.

(5) The cases requiring relaxation under sub-rules (3) and (4) above shall be referred to the Director of School Education for his/her approval before the appointment of the candidate.

154. *Nature of appointment and period of probation.* - (1) An appointment against a vacancy caused for a specific period due to leave sanctioned to a regular employee for the minimum period as may be specified by the Director of School Education or for any other reason, shall be made on purely temporary basis.

(2) An appointment against a substantive vacancy, whether by direct recruitment or by promotion shall be initially made on probation basis.

(3) The period of probation shall be two years for an employee appointed against a substantive vacancy. No extension of probation period shall be permissible.

(4) A management may create a purely temporary post for any temporary scheme of studies as may be introduced by the State or Central Government. Any employee appointed under such scheme shall be appointed as per terms and conditions of that scheme.

(5) A fully qualified teacher with academic and training qualifications appointed on lecture basis in a Higher Secondary School may be appointed on full time basis if the workload increases to create a full time post in that subject, and if such a full time post is permitted by the Director of School Education by suitably revising the appointment, provided that the appointment is as per procedures laid down. The fresh

appointment shall be initially on probation for a period of two years.

155. *Confirmation.* - (1) An employee who has successfully completed the period of probation shall qualify for confirmation and shall be immediately confirmed by the School managing committee by issuing an order within three months from the date of completion of the probation period.

(2) An employee, on qualifying for confirmation, shall be deemed to have been confirmed for all purposes from the date she qualifies for confirmation, even if a formal order of confirmation is not issued by the Management.

156. *Working hours for employees.* - (1) A full-time teacher shall be required to be present in the school premises during the working hours of the school, for 33 hours a week, exclusive of a daily recess for Pupil-Teacher contact.

(2) A full-time teacher shall be required to perform the actual instructional work as below

(i) Principal	8 hours per week
(ii) Vice-Principal	16 hours per week
(iii) Headmaster of Secondary School	8 hours per week
(iv) Assistant Headmaster of Secondary school	16 hours per week
(v) Teacher Grade I	21 hours per week
(vi) Headmaster of a Middle School	16 hours per week
(vii) Teacher Grade II and III/ Special Subject Teacher	21 hours per week
(viii) Primary School teacher and Headmaster(Primary)	27 to 28 hours per week as may be directed by the Director of School Education

(3) The entire instructional work load of all classes shall be divided fairly among the teachers so that the actual instructional work load per teacher is around the average work load as specified under sub-rule (2) above.

(4) Apart from the instructional workload as specified under sub-rule (2) and (3) above, each member of the teaching staff of a middle, Secondary and Higher Secondary School shall have a workload of remedial teaching, tutorials and co-curricular activities as may be assigned by the Head of the school, up to about six hours per week.

(5) The Principal, Vice-Principal, Headmaster of Secondary and Middle Schools and Assistant Headmaster/s in Secondary Schools shall put in actual administrative work for such period so as to be able to effectively exercise supervision of academic and administrative work in the school.

(6) The work load of the non-teaching staff except Group 'D' employee shall be thirty-nine hours per week and the same shall be adjusted by the management in consultation with the Head of the school, uniformly over a week for all working days by fixing the daily working hours as per the requirement of the school.

(7) The total working hours for a Group 'D' employee shall be forty-eight hours per week as may be adjusted by the management in consultation with the Head of the institution.

(8) The work load of staff of a Nighthigh School or Nighthigher Secondary School shall be half of the workload as laid down for respective categories of staff in a day school.

157. Annual Performance Report.—(1) Each non-Government school shall maintain Annual Performance Reports for each academic year in respect of the teaching and non-teaching staff, in the Form X hereto. There shall be five standard gradings, outstanding, very good, good, fair and poor. No other grading should be used in the Performance Reports.

(2) The Annual Performance Reports shall be written by 30th June every year for the previous academic year.

(3) The Head of the institution shall be the Reporting Authority, who shall write the Performance Reports of the subordinate staff. The Chairman of the School managing committee shall be the Reviewing Authority for the Performance Reports written by the Head of the institution.

(4) The Chairman of the School managing committee shall be the Reporting Authority for the Head of the school. There shall be no Reviewing Authority.

(5) The Annual Performance Report shall be countersigned by the employee in token of having seen the Annual Performance Report.

(6) An employee desirous of making a representation relating to observations made in the Annual Performance Report can do so to the Reviewing Authority within two weeks from the date of counter-signature of Annual Performance Report. In the case of the Head of the School, appeal shall lie with the Director of School Education.

(7) The School managing committee shall consider the representation of an employee against observations in the Performance Report and cause to communicate its decision to the concerned employee within a month from the date of receipt of the representation.

158. Seniority and seniority list.—(1) There shall be a common seniority list of all the employees of identical cadre, under all the institutions up to Higher Secondary School under the same management.

(2) When more than one candidate is selected at a time for simultaneous recruitment for a single cadre or simultaneous promotion to next cadre, the seniority of such candidates in that cadre during the probation period shall be as per the ranking in the selection list irrespective of their actual date of joining the duties of the post for which they are selected/promoted.

(3) When a number of posts in the same cadre on falling vacant simultaneously are filled partly by promotion and partly by direct recruitment, the promoted shall be allotted higher seniority ranking over the direct recruits.

(4) The employees of the same cadre promoted on earlier occasion shall be ranked senior to those promoted on later occasion.

(5) The School managing committee shall cause to prepare every year, cadre wise tentative seniority lists of all the employees holding substantive posts. There shall be a common seniority list of employees in the same cadre in the middle secondary and Higher Secondary Schools and training institutes under the same management. This list shall invariably incorporate the following details about each of the employees:

(i) name in full;

(ii) date of appointment to the present post;

(iii) status of present appointment (probation or permanent);

(iv) if permanent, date of confirmation;

(v) date and designation of first appointment in the school;

(vi) educational qualifications and date of acquiring first degree;

(vii) training qualifications and date of acquiring each of the training qualifications.

(6) The names of the employees shall be serially listed in the descending order of seniority.

(7) The tentative seniority list shall be circulated to all the employees by supplying a copy against which the acknowledgement shall be obtained. The employees shall be also informed to submit their objections, if any, within a period of one month.

(8) After considering all the objections received from the employees, a final seniority list should be prepared within one month from the last date stipulated for receiving representations and the same should be issued to all the concerned employees against their acknowledgement.

(9) The employees whose representations against tentative seniority list, are rejected shall be necessarily informed so, by giving full reasons against each of the claims in the representation within a week of circulation of final seniority list.

(10) An employee aggrieved by the decision or inaction on the part of the management, may prefer appeal to the Assistant Director of School Education of the concerned Zone and the decision of the Assistant Director of School Education of the Zone, in the matter shall be final. Such an appeal shall be submitted through the management, after the lapse of a period of one week but within six weeks from the date of circulation of final seniority list.

(11) The management shall forward, within a week, the appeal of the employee, to the Assistant Director of School Education of the Zone, under intimation to the concerned employee. The management shall also explain, in detail, the reasons for rejecting the representation of the employee concerned.

(12) The Assistant Director of School Education of the Zone, after considering the appeal and explanation of the management and after making such other enquiries as may be deemed necessary, shall issue orders communicating his/her decision to the management. The decision of the Assistant Director of School Education shall be final.

(13) On receipt of the decision of the Assistant Director of School Education on the dispute of seniority, the management shall take action within a week, as directed by the Assistant Director of School Education. It shall submit the compliance report to the Assistant Director of School Education.

(14) Any final seniority list prepared in violation of the procedure laid down in this rule shall be rendered infructuous and shall not be accepted by the Directorate of Education for any purpose.

159. *Fixation of pay.*— (1) The basic pay of an employee at the first appointment shall be fixed at the minimum of the time-scale of that post.

(2) In the case of an employee who is retrenched from a school in this State on account of reduction in the establishment and who is absorbed in another school by orders of the Director of School Education, the pay last drawn and the normal date of annual increment of that employee shall be protected on absorption.

(3) The basic pay of an employee on appointment to a higher post by promotion or by direct recruitment under the same management and in the same channel, viz. teaching to teaching or non-teaching to non-teaching category only, shall be fixed in accordance with the provisions as are applied to employees in the corresponding category under Government schools.

(4) All the teaching and non-teaching employees of a recognised school shall be entitled for all the allowances, in addition to the basic pay, as admissible from time to time to employees in the corresponding category under Government schools.

160. *Annual Increment.*— (1) An employee shall qualify to earn an annual increment in the time-scale, on the same terms and conditions as are applicable to the corresponding category of employees under Government schools.

(2) The annual increment of an employee shall be released as per provisions as are applicable to the corresponding category of employees under Government schools.

(3) In case of an interruption in the services of a retrenched employee between the day of retrenchment from a school and day of absorption in another school, the next increment due in the absorbed school shall be released by the absorbed school by postponing the same so that the total service as required to earn the next increment is rendered by that employee.

161. *Vacation and Non-Vacation Staff.*— (1) All the employees appointed against teaching posts including Principal, Headmaster, Vice Principal, Assistant Headmaster, Librarian and also the employees appointed as Laboratory Assistants are vacation staff who shall be entitled to avail all the vacations.

(2) All employees other than those mentioned in sub-rul. (1) above, shall be non-vacational staff. The non-vacational staff shall not be entitled to vacations.

162. *Vacation Pay.*— (1) An employee of the category of vacation staff appointed on purely temporary basis against a substitute vacancy caused due to leave of absence of a regular employee, shall not be entitled for salaries for any vacation period.

Provided that if such an employee is appointed from the first day of the first term to the last working day (inclusive) of the second term or continues during the next academic year covering all working days of a full academic year or more, he/she shall be entitled for salary for all the intervening vacations till the last day of the appointment.

(2) An employee of the category of vacation staff, holding a post on probation basis or on permanent basis shall be entitled for vacation pay for all vacation periods subject to the provisions of sub-rule (3) below.

(3) A member of vacation staff shall not be entitled for any emoluments for any period of vacation falling beyond the day on which such employee actually retires from service.

(4) A member of vacation staff, if appointed on purely temporary basis for an indefinite period either by initial appointment order or by continuation of appointment order against a clear vacancy created for an indefinite period due to any temporary scheme introduced for an undefined period, shall be entitled for the pay for all the intervening vacations. Such employee shall also be entitled for pay for the period of the summer vacation if the scheme under which he/she was employed, specifically provides such payment for the full academic year.

(5) A member of vacation staff appointed purely on temporary basis under any special scheme of the Government or Government of India shall be entitled to pay for vacation period as per provisions under that special scheme.

163. *Additional benefits.*— An employee of a recognised school shall be entitled for the following additional benefits at the same rate and on the same terms and conditions as are applicable to the employees of corresponding categories under Government schools:

- (i) Children's Educational allowance;
- (ii) Reimbursement of tuition fees;
- (iii) Bonus;
- (iv) Reimbursement of medical expenses;
- (v) Leave travel concession;
- (vi) Travelling allowance and daily allowance.

164. *Disbursement of salaries to the employees.*— (1) It shall be obligatory on the part of management that all the employees of the school shall be paid their salaries punctually on the appointed day of the month as may be specified by the Government.

(2) All the recognised schools, whether in receipt of salary grants or not, shall arrange to disburse the monthly salaries of their

employees by directly crediting their salary amount in their individual bank account.

(3) For purpose of sub-rule (2) above, the management of a school shall follow the procedure of preparing bills and releasing the salaries as may be laid down by the Director of School Education from time to time.

(4) All salary bills shall be jointly signed by the manager and the Head of the school.

(5) The Salary Grant Account shall be jointly operated by the manager, Head of the school and the Assistant Director of School Education of the Zone.

(6) In case of any unforeseen difficulties, any delay caused for such disbursement of salaries, shall not exceed seven days from the appointed day and any default in this connection shall be deemed as a serious lapse on the part of the management, and the same shall attract suitable action including action contemplated under section 20 of the Act, and the Director of School Education shall be competent to impose any penalty deemed necessary including suspension or deduction of grants and withdrawal of recognition of the school for the said lapse.

(7) In case of any dispute about the leave of any of the employees, the claim for the duty period shall be preferred in the regular bill. The supplementary claim payable, if any, for the leave period, shall be submitted immediately following the settlement of the leave.

165. Disbursement of salary of the employees after reduction/suspension of the salary grant. — (1) The management of a school the salary grant of which is reduced, withdrawn or suspended, shall continue to punctually discharge its obligations to disburse the full salaries of its employees from the funds of the Educational Society/Trust, if the school continues to function.

(2) If the management fails to comply with the provisions of sub-rule (1) above, it shall be within the competence of the Director of School Education to authorise a Departmental Officer to draw the required amount from the Reserve Fund of the school and disburse the salaries and allowances of the employees.

166. Appointment of Drawing and Disbursing Officer. — (1) The Director of School Education is empowered to appoint a Departmental Officer as Drawing and Disbursing Officer for a school to draw and disburse the salaries and allowances of any of the employees of the school, in the following cases:-

(i) the management omits or fails to punctually draw and pay the salaries and allowances of such employees who in the opinion of the Director of School Education are discharging or deemed to be discharging duties in the school;

(ii) Owing to the internal dispute among the members of the management, the salary and allowances payable to the employees of the school are not disbursed for a period not less than one month;

(iii) the management has not paid or has deducted salaries and allowances of an employee by refusing to sanction any

leave, against the instructions from the Director of School Education, who has considered the entire case and arrived at the conclusion that such a leave was needed by the employee concerned and there is no justifiable reason for the management to refuse the said leave;

(iv) the management has not promptly released the annual increment or effected the revision of the scale or has not granted the higher scale due, as may be admissible to an employee.

(v) In any other case in which the Director of School Education may deem fit to take such action.

(2) The Director of School Education on receipt of such a complaint of the nature mentioned above, shall make or cause to make such enquiries as may be deemed necessary and shall direct the management to show cause against the action proposed under the provisions of this rule. The Director of School Education, after careful consideration of the enquiry report and the explanation, if any submitted by the management shall appoint a Drawing and Disbursing Officer if it is deemed necessary to do so or may issue further necessary instructions to the management as may be deemed suitable.

167. Modalities of disbursement of salaries by Drawing and Disbursing Officer. — (1) The Drawing and Disbursing Officer appointed by the Director of School Education shall prefer, with the Directorate of Education the claim of unpaid amount to the employee and shall pay the same to that employee in the manner as laid down for such payment through credit in the Bank.

(2) The accounts of the amount so preferred and disbursed shall be maintained by the Drawing and Disbursing Officer.

(3) The Drawing and Disbursing Officer may require the employee to whom the amount is to be disbursed, to execute an indemnity bond that if it is subsequently found that the entire or part of the amount paid to such an employee was not actually due to him/her, such amount already disbursed shall be liable to be recovered from him/her.

(4) The Drawing and Disbursing Officer shall continue to draw and disburse the salaries of an employee for such period as may be directed by the Director of School Education.

(5) When the payment of any of the employees is required to be made by appointing a Drawing and Disbursing Officer, the Director of School Education shall be competent to reduce the quantum of the non-salary grant of that school by an amount equal to ten percent to twenty percent of the gross salary amount paid to the employee/s by the Drawing and Disbursing Officer for the respective year.

168. Provident Fund. — (1) An employee of a school appointed on probationary basis against a substantive vacancy shall subscribe to the Provident Fund at the rate as may be specified by the Government.

(2) The management of the school, on appointment of an employee on probation shall immediately collect an application

from the said employee for opening an account of Provident Fund as specified by the Government and shall arrange to forward the same to the authorities authorised by the Government to maintain the said Provident Fund accounts. It shall be obligatory on the management to take all necessary steps to get the Provident Fund account number for an employee at the earliest so that the contributions are credited without any difficulty and deductions in arrears avoided.

(3) An employee of a school shall be entitled for the advances and final withdrawals from the Provident Fund Accounts as per terms and conditions as are applicable to the employees of corresponding categories under Government institutions.

(4) An employee shall not be entitled to close the Provident Fund Account unless he/she retires on superannuation or resigns from his/her post without seeking migration/transfer to any other school and discontinues the services permanently.

(5) In the case of migration/transfer or services or absorption from one school to another school, the employee shall continue to contribute to the Provident Fund from the new school.

(6) In the case of migration/transfer/absorption of an employee from one school to another school, it shall be obligatory on the management of the school from where the employee migrates, to promptly supply such information as may be necessary, to the transferred school to enable that management to regularly effect the Provident Fund deductions of the transferred/migrated/absorbed employee.

169. *Leave.*—(1) Leave shall not be claimed as a matter of right. Discretion to refuse or revoke leave is reserved to the leave sanctioning authority.

(2) An employee of a school shall be entitled to earn and avail such type of leave as may be admissible to corresponding categories of employees in the Government institutions.

(3) An employee of a school shall be eligible to avail leave as admissible under sub-rule (2) above, to such an extent and on such terms and conditions as are applicable to corresponding categories of staff under Government institutions.

170. *Leave sanctioning authority and appeal.*—In matters pertaining to leave of teaching and non-teaching staff of an aided school, the power to sanction leave shall vest with the head of the school. In the case of the head of the school, the Chairman of the School managing committee shall be the leave sanctioning authority. Appeal in such matters shall lie with the Assistant Director of School Education of the Zone.

171. *Age of Retirement.*—(1) An employee of a school shall retire on superannuation in the manner and on completion of his/her age as laid down for employees of corresponding categories under Government institutions.

(2) A teacher who attains the age of superannuation on or after three months from the date of re-opening of the school in an academic year may be granted extension in services by the Director of School Education, upto the last working day of the second term, provided the teacher concerned so desires and submits an application to that effect through the management of the school.

(3) A teacher who has been awarded State/National Award for meritorious services may be granted extension in services by the Director of School Education, for a period of one year beyond the normal date of retirement provided that:

(i) such a teacher submits an application in writing to the management of the school, to the Director of School Education, for such extension; and

(ii) such a teacher submits a medical certificate issued by a Government medical officer declaring him/her physically and mentally fit for such extension;

(iii) the Director of School Education may waive the condition to produce the medical certificate relating to physical and mental fitness of the teacher if the managing committee declares that the teacher is physically and mentally fit for such extension;

(4) In the case where extension is granted under sub-rule (3) above, the teacher shall retire after working hours on the day on which the period of extension is completed.

(5) A teacher who is granted extension in services under sub-rules (2) or (3) above may proceed on retirement if he/she so desires before the completion of the period of extension under (3).

Provided that, such a teacher is required to give notice to the manager to this effect at least one month in advance, or in the event of notice of one month, refund an amount equal to the total emoluments drawn for the previous month, or pro rata amount for the period falling short for full notice period of thirty days.

172. *Pension and pension papers.*—(1) An employee of school shall be entitled for pension, death or survivorship gratuity, family pension and all other pensionary benefits on the same terms and conditions, except otherwise mentioned in the Rules, as are applicable to an employee of corresponding cadre in a Government school.

(2) An employee of a school shall be entitled to voluntary retirement on the same terms and conditions as are applicable to an employee of a corresponding cadre under a Government school.

(3) It shall be obligatory on the School managing committee to check all the entries in the service book and to verify its completion and accuracy, at least one year prior to the date of superannuation of every employee. The management shall take steps as may be deemed necessary to rectify deficiencies noticed in the service records and bring the records upto date so that pension papers may be prepared within the stipulated period without causing any unnecessary hardship to the retiring employee.

(4) It shall be enjoined on the management to obtain the application of the retiring employee, at least two years in advance, and prepare and submit the pension papers to the Assistant Director of School Education of the concerned Zone, along with the duly completed service-book of the retiring employee, at least eight months in advance prior to the day of retirement of that employee.

(5) It shall be obligatory on the management to promptly take necessary steps to draw and disburse the amount of Provident

Fund at the credit of the employee, and amount of leave encashment, if due and all other dues) that the entire settlement is completed within three months from the day of actual retirement of the employee. The management is liable to pay from its own funds the interest on the said dues for the period exceeding the limit of three months if such a delay is entirely owing to the failure on the part of management to take prompt action for processing the pension case and the papers for settlement of other dues.

(6) In the case of an employee deceased while in service, the management shall take prompt action to settle the payment of all the dues such as Death-cum-Retirement Gratuity, Provident Fund, encashment of leave, etc. to the rightful members of the family of the deceased employee and also to sanction family pension. The management shall be liable to pay, from their own funds, interest on the said dues for the period of delay beyond three months from the date of death of the employee, if the delay is on the part of the management.

(7) The rate of interest payable on delayed periods as contemplated in sub-rule (5) or (6) above shall be equal to the rate of interest for a fixed deposit account of one year of a Co-operative Bank in this State.

(8) The decision of the Director of School Education on any dispute arising in the matter of payment of interest as contemplated in sub-rule (5) or (6) above, shall be final.

(9) In the case when such a delay is caused on account of failure on the part of any employee of the school, to take prompt action for the settlement as contemplated in sub-rule (5) or (6) above, it shall be within the competence of the management to recover from that employee the amount of interest payable to the retired employee/members of the deceased employee.

(10) It shall be within the competence of the Director of School Education to deduct from the non-salary grant of the school the amount payable towards interest as contemplated under sub-rule (5) or (6) above, and disburse the same to the rightful claimant/s.

173. *Surplus employees and their absorption.*—(1) When an employee of an aided recognised primary, middle, secondary and Higher Secondary School is rendered surplus on account of a fall in divisions or classes or withdrawal of recognition or closure of classes by the management or discontinuance of the teaching of any subject, the Director of School Education shall be competent to order absorption of such a surplus employee in any other aided school as may be deemed fit.

(2) In a primary, middle and secondary school the junior-most employee shall be rendered surplus.

(3) In a Higher Secondary School subject-wise workload is to be considered. The junior-most subject teacher shall be rendered surplus.

(4) The absorption of a surplus employee as per provision of sub-rule (1) above, shall be subject to the conditions that:—

(i) the surplus employee should be confirmed or deemed confirmed against the post held in accordance with rule 155;

(ii) for absorption of a surplus teacher a suitable vacancy should be available in another aided school. This should be in terms of identical teaching cadre, and the teaching of subjects for which the surplus teacher qualifies. For a surplus non-teaching employee a suitable non-teaching vacancy should be available in another aided school.

(iii) When such a surplus employee is absorbed in another aided school, the said absorbed employee shall be junior-most in seniority to all other employees who are already in employment in the same cadre in that school.

(5) When any surplus employee is absorbed in any other aided school as per provisions of sub-rule (1) above, the pay and the allowances drawn by that employee in the former school prior to absorption shall stand protected along with the normal date of increment and the leave at credit.

(6) When a vacancy in the identical cadre is not available in any other aided school, a surplus employee shall be absorbed against any available lower post. In such a case, the time-scale, the pay last drawn and the date of increment shall stand protected.

(7) In the case of employees absorbed under this rule, the leave at credit of that employee shall continue to be carried forward in the absorbed school.

(8) An employee whose absorption is ordered by the Director of School Education, shall be relieved by the parent school within twenty-four hours from the receipt of the order of absorption, directing the concerned employee to join duties in the absorbed school the next day. Any failure on the part of the parent school to comply with these instructions, shall make the school liable to effect from their own funds, the payment of salaries and any other monetary loss caused to the employee. The Director of School Education shall be competent to impose penalty or reduction in the non-salary grant of that school to the extent equal to the amount of salaries payable to the teacher for the delayed period.

(9) An absorbed employee shall report for duties in the absorbed school, the next day after being relieved, failing which such an absorbed employee shall not be entitled for any salaries for the delayed period of joining in the next school. When such delay is entirely attributed to the employee, he/she shall also forfeit any further claim for such absorption.

(10) A school, where an absorbed employee reports for duty shall immediately allow that employee to join duties as per order of the Director of School Education failing which that school shall be liable to lose the post against which the surplus employee was absorbed and also becomes liable for action against it.

(11) On absorption of a surplus employee of an aided school, the management of the former school shall immediately transfer the service book, Provident Fund Account and also issue last pay certificate in the Form XI hereto. All the documents shall be forwarded within a fortnight to the school where the surplus employee is absorbed.

(12) Without prejudice to any other provisions under this rule, it shall be within the competence of the Director of School Education, to order re-absorption of an absorbed employee.

against an identical post which may occur in the former school where that employee was earlier rendered surplus:

Provided that such a vacancy should occur within five years from the day on which that surplus employee was absorbed in another aided school.

(3) In the case of a re-absorption under the provisions of sub-rule (6) above, such an employee shall regain the initial seniority rank as existed prior to absorption in the other school:

Provided that such a re-absorbed employee shall not be entitled to claim any post filled by promotion from his/her cadre, prior to such re-absorption.

(4) Services of a surplus teacher stands terminated in case the teacher is not absorbed within six months.

174. *Transfer/Migration to an aided school under different management.*— (1) Where an employee of an aided school in this State migrates with the approval of the Director of School Education to any other aided school under a different management in this State, without any break in service between former school and the next school, such a migrating employee shall be entitled for the following benefits:—

(i) the migrating employee shall earn fresh seniority in the migrated school on the basis of his/her date of joining or merit in the selection list, in his/her cadre in the migrated school;

(ii) the migrated employee shall not forfeit the leave a/credit in the school prior to the migration;

(iii) the migrating employee, if migrated to hold identical post with identical time scale as held prior the migration in the school from which he/she migrated shall be entitled for the protection of pay and the normal date of increment as in the last school;

(iv) the migrating employee, if migrated to hold a higher post with higher time scale in the same channel, shall be entitled for protection of last pay drawn if such pay last drawn is higher than the minimum of the time-scale of the new post.

175. *Qualifying services for Pensionary benefits.*— (1) The services rendered by an employee in an aided school by virtue of appointment with the approval of the Director of School Education, against a substantive post, shall qualify for pensionary benefits. Officiating services shall also qualify for pensionary benefits if followed, without any interruption, by substantive appointment in the same or another post in the same aided school or any other aided school under the same management.

(2) The period of extraordinary leave on grounds other than medical grounds shall not qualify for pensionary benefits.

(3) In the case of an absorbed employee who was rendered surplus in an aided school and was absorbed by order of Director of School Education, in another aided school, the entire continuous service rendered by that employee in the aided school prior to the day of absorption shall qualify for pensionary benefits in addition to the service rendered in the absorbed school. This

benefit shall also be admissible when an absorbed employee is re-absorbed in the former school.

(4) In the case of an employee who has migrated from an aided school to another aided school with the permission of the Director of School Education the entire continuous services rendered by that employee in the aided school, prior to the day of the migration in addition to the services rendered in the new aided school, shall qualify for pensionary benefits.

(5) The period of services put in by an employee under Government or any statutory autonomous establishment on account of requisitioning of such services by the Government, shall qualify for pensionary benefits provided that the pension contribution of that employee is credited by that establishment for the period of services rendered on requisition.

(6) Employees of aided schools shall be entitled for additional weightage for qualifying service as may be admissible to their counterpart under Government schools and as may be declared by Government from time to time.

176. *Condonation of Interruption in services.*— (1) In the absence of any contrary and specifically recorded instructions in the service book, an interruption between two spells of services rendered by an employee in an aided school, may be condoned by the Director of School Education.

(2) The Director of School Education may condone an interruption caused in the services during the migration of an employee from one aided school to another aided school provided that:—

(i) such a migration is with the approval of the Director of School Education;

(ii) the post held in the former aided school and the in the migrated aided school are covered by identical revision schemes;

(iii) the interruption caused during the migration is not have been caused due to reasons beyond the control of the employee; and

(iv) the period of each interruption does not exceed three months.

(3) When a surplus employee of an aided school is absorbed by an order of the Director of School Education in another aided school, the interruption if any in the services between the school where rendered surplus and the school where so absorbed, may be condoned by the Director of School Education if the interruption caused is not attributed to that employee.

(4) In the case when an employee is absorbed in any other school and is ordered for re-absorption in the former school, and at the request of that employee, an interruption if any, caused while joining the re-absorbed school, may be condoned by the Director of School Education if such an interruption is caused for reasons beyond the control of the employee and the total period of such interruption does not exceed thirty days.

(5) Any interruption caused due to termination of services in an aided school, as a penalty imposed after disciplinary action, shall not qualify for condonation.

(6) The services rendered as a teacher on lecture basis and the services rendered on purely temporary basis but not followed by any continued uninterrupted appointment on regular basis shall not qualify for pensionary benefits.

177: *Resignation of services.* — (1) A non-permanent employee who desires to resign from the services of an aided school shall be required to give notice of one calendar month in advance.

(2) A permanent/deemed permanent employee who desires to resign from the services of an aided school, shall be required to give notice of at least three calendar months in advance.

(3) The management may allow an employee to leave services earlier, by recovering an amount from that employee, at the rate of pay and allowances drawn at the time of leaving the services, for such period as may fall short to cover the specified minimum period of notice as is required under sub-rule (1) or (2) above, as the case may be.

(4) An employee who had given notice for leaving service, shall not be entitled for extraordinary leave other than on medical grounds during the period of the notice.

(5) If the services of an employee of an aided school are requisitioned by the Government for a Government or autonomous establishment funded by the Government and if such an employee is proposed to be absorbed in the regular employment of that establishment without returning to the parent-aided institution, such an employee shall be liable to refund the amount equal to pay and allowances for a period of one month or three months as per the nature of appointment of that employee in the parent school at the time of requisitioning of the services by the Government. The rate of pay and allowances refundable shall be the same as drawn last in that school.

(6) If any management allows an employee to leave service either without notice or without recovery of the amount for notice period due, an equal amount shall be liable to be deducted from the non-salary grant due to that school.

(7) The amount paid by an employee in lieu of the notice shall be credited by the management in the Government Treasury by a chalan, in the manner as may be directed by the Director of School Education.

178. *Lien.* — (1) A confirmed/deemed confirmed employee of an aided school may be permitted by the management to keep lien on the post, by obtaining three months notice or by recovering an amount as under sub-rule (2) and (3) of rule 177 as if the employee has resigned or left his services with or without notice to take up services in any other recognised educational institution in this State, including a college affiliated to the Goa University or in any faculty of Goa University:

Provided that if such an employee takes up the new appointment in a college under the same educational Society/Trust, as of the present school, the recovery of the amount as stipulated under this sub-rule may be waived.

(2) The period of the lien permitted to be retained by an employee as per sub-rule (1) above, shall be initially for two years.

(3) The employee relieved to take up employment by permitting to retain lien as per provisions of sub-rule (1) and (2) above, shall return to the original post at the end of the period of lien or extended period of lien, as the case may be. In the event of failure to return to the original post, the employee shall resign from the post. An undertaking to this effect shall be obtained by the management from the employee before relieving him/her from the school to take up employment in another recognised educational institution.

(4) The management shall not relieve any employee under the provisions of this rule, without the prior approval of the Director of School Education.

CHAPTER XVII

SCHOOL EDUCATION ADVISORY BOARD

179. *School Education Advisory Board.* — In accordance with section 24 of the Act, there shall be an Advisory Board called School Education Advisory Board to advise the Government on policy matters pertaining to education in the State of Goa.

180. *Composition of the Advisory Board.* — (1) The composition of the School Education Advisory Board shall be as follows:

(i) Minister of Education shall be the Chairperson of the Advisory Board;

(ii) Director of School Education shall be the Secretary of the Advisory Board;

(iii) The Chairman of the Goa Board of Secondary and Higher Secondary Education, ex-officio;

(iv) three persons, who are the heads of recognised private schools;

(v) three representatives of organisations of teachers of recognised private schools;

(vi) three representatives of the managements of recognised private Schools;

(vii) the Principal of one of the colleges in the State of Goa;

(viii) two members of the Legislative Assembly of the State of Goa to be nominated by the Speaker;

(ix) two eminent educationists;

(x) two representatives of the parents and guardians of the students of recognised private schools; and

(xi) two representatives of the students of recognised private schools.

181. Term of Office.— (1) The Advisory Body shall have a tenure of three years. A nominated member of the Advisory Board shall hold office for a period of three years. He/she may be re-nominated for another term.

(2) Subject to the provisions of the section 24 of the Act no Member of the Advisory Board shall hold office for more than two terms.

182. Meetings.— The Advisory Board shall meet at least once a year and more often if exigencies so demand.

183. Resignation.— A member of the Advisory Board may by communicating in writing to the Governor of Goa resign from office. Such resignation shall take effect from the date of communication of the acceptance of the resignation or on expiry of thirty days from the date of resignation whichever is earlier.

184. Vacancy in the Office of a member.— A member of the Advisory Board shall be deemed to have vacated his office:—

(i) if he/she is of unsound mind and is so declared by a competent authority;

(ii) if he/she is an undischarged insolvent;

(iii) if he/she is convicted of an offence involving moral turpitude;

(iv) if he/she does not attend three consecutive meetings of the Advisory Board without obtaining leave of absence of the Governor of Goa;

(v) if he/she ceases to have the status on the basis of which he/she was nominated.

185. Allowances.— The members of the Advisory Board shall be entitled to such travelling or daily allowances on par with the lowest category of Group A Officers of the Government.

CHAPTER XVIII

APPEAL AND SAVING PROVISIONS

186. Repeal of other orders.— All existing orders and circulars shall be valid unless they are inconsistent with these Rules.

187. Educational Zones and Talukas.— The educational zones and the talukas in existence prior to the day on which these Rules come into force shall continue to remain in force and shall be deemed to have been created under these Rules from the day on which they come into force.

188. Continuation of recognition of the schools.— All the pre-primary, primary, secondary and Higher Secondary Schools which are classified and recognised by the Directorate of Education upto the day prior to the enforcement of these Rules, shall be deemed to have been classified and recognised for the same stage and classes, under these Rules and shall be liable to comply with the provisions of these Rules for continuation of their classification and recognition.

189. Continuation of financial assistance.— All the schools which are in receipt of financial assistance and grants from the Directorate of Education, prior to the day on which these Rules come into force, shall be deemed to have been admitted by the Director of Education for financial assistance and grants for the same stage or classes, under these Rules and shall be liable to comply with the provisions of these Rules for continuation of financial assistance and grants.

190. Time limit for the amendment to the constitution of Society or Trust.— The Educational Societies/Trusts which are administering the recognised schools, shall amend their constitution within three months from the day on which these Rules come into force, to meet the requirements laid down by these Rules.

191. Time limit for appointment of School Managing Committees.— The School Managing Committees, for all the schools which were recognised by the Directorate of Education upto the day prior to the day of enforcement of these Rules and which are deemed to have been recognised under these Rules from the day of enforcement of these Rules, shall be appointed/re-constituted as per relevant provisions of these Rules, within three months from the day on which these Rules come into force.

192. Disciplinary proceedings.— Disciplinary proceedings instituted against an employee of any non-Government school, prior to the day on which these Rules come in force shall continue to be conducted as per relevant provisions or orders as were in force, on the day on which such proceedings were initiated.

193. Setting up Reserve Fund.— All schools should raise Reserve Funds specified in rule 25 of these Rules within six months from the day on which these Rules come into force.

194. Powers of Government to issue administrative orders.— The Government shall have powers to issue administrative orders, to amend, modify, delete or alter any of these Rules and/or any of the appendices to these Rules or forms to these Rules, in part or in full, as may be deemed necessary in consultation with the School Education Advisory Board.

FORM - I

Form of Application to open New School/Class/Division

(See Rules 11, 17 & 18)

Note:—

1. Part I shall be filled in for all types of proposals.
2. Part II or III or IV shall be filled in for proposals of opening of a new school or a new class or a new division respectively.
3. Proposal of opening of Std. I / V / VIII / XI shall be proposals for opening new school.

PART I

(Information about the applicant Educational Society/Trust)

1. Name and Office address of the applicant Educational Society/Trust
2. Number and date of its registration
3. Total number of members enrolled upto date
4. Minimum number of members proposed to be enrolled during next three months
5. Net value of the upto date assets of the Society/Trust
6. Net cost of immovable property acquired, if any and details of its area and location

(Please enclose a copy of the constitution of the Society/Trust).

PART II

(For opening a new school)

7. Name of the proposed school
8. Full locational address of the proposed school
9. Academic year from which the school is to be opened
10. Medium of instruction of the proposed school
11. Class proposed to be started I/V/VIII/XI
12. (a) Whether school has its own building or hired building

(b) If the building is hired the name and address of the owner

(c) Whether the ownership title of the building is verified and found clear

13. Road-wise area of the building
(Attach a sketch-plan showing length and width of each of the rooms)

14. Information about existing schools within 5 kms. from the proposed school and already having the same classes as proposed for the new school

Sr. No.	Name & full address of the school	Medium	Distance from proposed school	Enrolment in classes as proposed in the new school	Remarks
---------	-----------------------------------	--------	-------------------------------	--	---------

15. Information of feeding schools within five kms. from the proposed school

Sr.No.	Name & full Address of the feeding school	Distance from the proposed school	Enrolment in the class/es and immediate lower classes corresponding to those proposed in the new school	Remarks
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16. The Population of the Village/Town in which the proposed school is to be opened

17. Amount of the Reserve Fund

18. The financial resources from which expenses are proposed to be met for the establishment and running of the proposed school

19. Quantity of furniture already purchased
(Attach a list giving item-wise number of furniture purchased)

20. Details of other items already purchased
(Attach a list showing number of language-wise books, subject-wise charts, maps, laboratory material etc. if purchased)

21. Give names and addresses of other recognised schools in this State managed by the applicant Society, if any.

PART III

(For the opening of a higher class)

22. Enrolment of the classes already existing.

Classes	
Enrolment	

23. Class proposed to be added and from which academic year

24. Academic year in which the class, lower than the proposed class, was added

25. Room-wise area of the school building
(Attach a sketch-plan showing length and width of existing rooms):

26. Whether a standard-sized classroom is available for the proposed higher class

27. Enrolment in the class corresponding to the proposed class of the school 5 kms away from the school to which the proposed class is to be added

28. Details of furniture available

Item	
Quantity	

29. Details of the teaching equipment available:

Item	
Quantity	

30. Compliance of the conditions laid down last time for opening of the class below the proposed class

Conditions	Compliance

PART III

(For the opening of an additional division)

31. Class for which division is proposed to be opened

32. Number of already existing divisions and enrolment in the same

33. Number of students in the class for which division is proposed to be added

- (i) Promotees from the lower class
- (ii) detainees
- (iii) new admissions

Total

34. Details of room-wise area
(Attach a sketch plan)

35. Information of other schools in the area with number of divisions for the standard for which addition of division is proposed

Sr.No.	Name of the school	Distance from the applicant school	Number of divisions	Remarks

36. Whether school has accommodation for the proposed additional division.

I hereby declare that the information furnished by me in respective parts of this proforma is true and I know that if any of the said information is found incorrect, my application is liable to be rejected forthwith.

Chairman
School Managing Committee

APPENDIX No. I

Pupil-Teacher Ratio for Pre-Primary and Primary schools
(See Rules 20 & 135)

I. As in normal circumstances

	Number of students	Number of teachers available
1) Upto 29		1
2) From 30 to 80		2
3) From 81 to 120		3
4) From 121 to 160		4
5) From 161 to 200		5
6) For every next block of 40 pupils or part thereof		one additional teacher

II. When there are surplus teachers the following pupil teacher ratio shall be in force.

	Number of students	Number of teachers admissible
1) Upto 19		1
2) From 20 to 60		2
3) From 61 to 90		3
4) From 91 to 120		4
5) For every next block of 40 pupils or part thereof		one additional teacher

This pupil-teacher ratio shall be applicable within the total sanctioned posts and not for creation of extra posts.

FORM - II

Form of Application for Recognition of a School
(See Rule 23.)

To be submitted in duplicate

No.:
Address:
Date:

1. Name of the Educational Society/Trust

2. Registration number and date of Society/Trust

3. Name of the school with address in full

4. Date of opening the school for which recognition is sought

5. (a) Stage upto which already recognised :

(b) Stage for which recognition is sought:

6. Stage-wise medium of instruction

7. In case recognition is required for the Middle/Secondary/Higher Secondary stage, write the subjects for which recognition is desired

8. Give the number of other schools within 5 kms. from this school, recognised for the stage of education for which recognition is sought for this school

9. Names, addresses and occupation of the members of the School Managing Committee

10. Name and full address of the Manager :

11. Area of the campus and the building

(a) Has the school its own building or rented building

(b) Total land area of the campus

(c) Total built area of the school

(d) Give the area of each of the class-rooms

(e) Area of Library and Reading Room :

(f) Area of Laboratory

(g) Area of Staffroom

(h) Area of Headmaster's room

(i) Area of Office room

(j) Area of Students' room

(k) Area of school ground

(l) Any other (please specify)

(m) Whether building is electrified and tap water provided

12. Physical facilities

(1) Number of books in the library
(Give number medium-wise)

(i) For Teachers
(ii) For Students

(2) Number of charts
(Give list subject-wise)

(3) Number of Maps
(Give list subject-wise)

13. Total cost of Laboratory material :

14. Give item-wise number of furniture

15. Financial Resources of the school :

(a) Amount of Reserve Fund raised

(b) Name of the Bank of deposit

(c) Average monthly expenditure

16. Class-wise number of students enrolled

17. Whether any religious instruction is imparted and whether it is compulsory for all

18. State as to which curriculum and syllabi are followed

19. Class-wise rates of fees and other funds to be charged to students

20. Information of the staff

Sr. No.	Name in full	Designation	Date of appointment	Academic qualification	Training qualification	Remarks
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21. Whether the school needs Government grants

Undertaking

The Management hereby agrees that it is willing to and shall abide by the provisions of Goa School Education Act, 1984 and Rules made thereunder, the orders issued by the Directorate of Education in the past, present and future regarding recognition of the school and conduct of its administration.

Certified that the information given is correct.

Place: _____ Signature: _____

Date: _____ Chairman of the School Managing Committee.

FORM - III

Form of Declaration of Date of Birth of the Pupil
in the absence of Birth Certificate.

(See Rule 56.)

Note: This declaration shall be made by the parent/guardian of the pupil and shall not be altered or modified thereafter.

To

The Headmaster.

School

Sir,

I, Shri/Smt. _____ resident
(full name of declarant)
of _____, hereby submit that
(full postal address)
I want to enrol my _____ ward
(relationship with the pupil)
Master/Miss _____ in
(Full name of pupil, beginning with Surname)
your school in Std. I from June 19 _____.

I hereby solemnly affirm

1. that the birth of Master/Miss _____
(full name of the pupil)
is not registered in any office.

2. that the date of birth of Master/Miss _____
(full name of the student)
is _____ (in words _____)

as per the best of my knowledge, and the same is to be accepted for
purpose of his/her enrolment in the school.

3. that neither I nor any other person shall be ever entitled to seek
any change in the date of birth of the said pupil, as declared above.

4. that if the birth of this pupil registered in any office in future, it
will be registered as per date of birth declared herein without any
alteration in the same.

5. that it is brought to my knowledge that no change in the content
of this declaration will be permitted at any later stage.

6. that it is brought to my knowledge that if the birth of this child
is found to have been already registered before I make this declaration,
I shall be liable for action for deceiving the authorities.

Solemnly declared on this _____ day
of _____ 19 _____ at _____
(Place)

Signature of the Declarant

FORM - IV

Form of School Leaving/Transfer Certificate

(See Rule 64)

The entries in this certificate must be as per the entries in the
General Register and in the manuscript

Name of the SCHOOL & POSTAL ADDRESS

Sr. No. of the Certificate _____

1. General Register No. of the pupil _____

2. Name of the pupil _____

3. Whether belongs to S.C./S.T./O.B.C. _____

4. Place of birth _____
(ward, taluka, State)5. Date of birth (in figures)
(day, month & year in Christian era)
(in words) _____6. Last School attended _____
(name and address)

7. Date of admission in this school _____

8. Class in which admitted _____

9. Progress _____

10. Conduct _____

11. Date of leaving this school _____

12. Standard in which studying and since when _____

13. Reason for leaving _____

14. Remarks _____

Certified that the above information is in accordance with the
General Register of the pupil.

Date _____

Signature of the
Head of the SchoolSignature of the official
preparing this certificate

Note: 1. A change in any entry in this certificate shall NOT be made
except by the authority issuing it and any infringement of
this requirement is liable for imposition of a penalty such as
rustication.

2. This certificate needs to be countersigned by the Assistant
Director of Education or Deputy Education Officer of the
Educational Zone if the pupil desires to continue studies
outside this State.

Accepted on
(date)

Signature of the Head of the School

FORM VI

Form of Application for Building Grant

(See Rule 87)

To be submitted in duplicate

1. Name and full address of the school
2. Whether Primary/Middle / Secondary/Higher Secondary School
3. Class-wise divisions for the current academic year
4. Details of area of existing building
5. Exact area proposed to be built up/ acquired/already acquired, for which building grant is required
6. Amount of building grant required
7. Total estimated cost of the proposed construction and the proportion the grant amount bears to the total estimates.

8. (a) Whether the school has ever received Building Grant before?
- (b) If so, give details of the amount and details of the construction for which it was utilised.
- (c) Whether final accounts are submitted to Directorate of Education.

9. (a) Whether the site for proposed construction is owned by the Management/granted by Government
- (b) If it is owned, whether the title is clear and good
- (c) If granted by the Government the number and date of the order (Please enclose a copy)
10. Whether the plans and estimates of proposed construction are approved by the authorities of Public Works Department and Public Health
11. Whether the site for proposed construction is converted into non-agricultural land
12. Whether the Management is willing to execute trust deed or agreement in case the building grant is sanctioned

Undertaking

The Management undertakes that the construction proposed to be financed from the Building Grant will not be undertaken without licence from the authorities as is required.

Place :

Date :

Signature of
the Chairman of Educational Society Trust
of the School

APPENDIX No. 8

Form of General Register

(See Rule 110)

Note :- In column No.2, the name beginning with surname or house name, first name and father's name/second name as per North Indian style, Christian style or South Indian style as the case may be.

Reg. No.	Name of the pupil in full	Place of Birth	Date of Birth, month & year according to Christian era both in figures & words	Last school attended	Date of admission	Standard in which admitted	Progress	Conduct	Date of leaving the school	Standard in which the school studying at the time of leaving	Remarks about reason of leaving	Any other remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

APPENDIX No. II

Recruitment Rules for Non-Government Schools

[See Rule 135, D (v), 135 D (vi), 138, 140]

Sr. No.	Name of the Post	Qualifications for Direct Recruits		Qualifications for Promotees	Pay Scale
		Upper Age	Qualifications		
1	2	3	4	5	6
1.	Principal of Higher Secondary School/Training Institute	45 years	<ul style="list-style-type: none"> i) Hnd class Master's Degree from a recognised University ii) Degree in Education or teaching iii) 10 years teaching experience out of which at least 5 years in Hr. Secondary School as Teacher Grade I or in Primary Teacher's Training Institute as Sr. Instructor, as the case may be, and remaining 5 years in equivalent post. 	<ul style="list-style-type: none"> i) A Master's Degree from a recognised University, ii) Degree in Education/teaching from a recognised University and iii) atleast seven years teaching experience as teacher Grade-I in the Hr. Secondary School or a Sr. Instructor in a Primary Teachers Training Institute, as the case may be or iv) Headmaster of Secondary School under the same Management having at least 7 years service out of which at least 5 years in Higher Secondary School as Teacher Grade-I or in Primary Training Institute as Sr. Instructor as the case may be 	Higher Scale Rs.10000-15200 Lower scale Rs. 8000-13500
2.	Headmaster of Secondary School	40 years	<ul style="list-style-type: none"> i) A Master's Degree from a recognised university; ii) Degree in Education/teaching from a recognised University or equivalent; iii) At least 5 years teaching experience after graduation in a Secondary School or a training institute out of which at least 3 years teaching experience after training; 	<ul style="list-style-type: none"> i) A Degree from a recognised University and ii) A Degree in Education/Teaching from a recognised University, with 7 years teaching experience as a Teacher Gr. II in the School after graduations out of which 5 years should be post B. Ed/B. T experience; failing which iii) Diploma in Education (2 years course) of any recognised University or a Diploma sanctioned as equivalent by the Govt. with 9 yrs. teaching experience in the School after graduation out of which at least 7 yrs. should be post training experience. 	Rs.6500-10500
3.	Assistant Headmaster of Secondary School	—	No direct recruit	The same as prescribed for the Headmaster of Secondary School.	Rs.5500-9000
4.	Headmaster of Middle School	35 years	<ul style="list-style-type: none"> i) A graduate from a recognised University; ii) A Degree in Education/teaching and 	<ul style="list-style-type: none"> i) A Degree from a recognised University; ii) A Degree in Education/Teaching or equivalent with 3 years experience after training as a Teacher Grade II; or 	Rs.5500-9000

1	2	3	4	5	6
			iii) about 5 years teaching experience in a Secondary School out of which about 3 years teaching experience after training;	iii) A Diploma in Education (2 yrs. duration) with 5 yrs. teaching experience after training.	
5.	Teacher Grade-I Sr. Instructor	35 years	i) A Master Degree in the subject; and A Degree in Education/teaching;	ii) Teacher Grade II/Jr. Instructor - Rs. 5500-9000 with 3 yrs. post training service in the School/Pry. Trs. Training Institute and possessing qualifications prescribed for direct recruits in Col. No. (4).	
6.	Teacher Grade-II Jr. Instructor	30 years	i) A Degree from a recognised University;	ii) Teacher Grade III working in a Secondary School having 3 years service in the grade and possessing qualifications prescribed for direct recruits in col. No. (4). Failing which a Teacher Grade III possessing a Degree from a recognised University and a Diploma in Education (2 yrs. course) and having 5 yrs. experience out of which at least 3 yrs. experience after obtaining Diploma in Education.	Rs. 5500-9000
7.	Teacher Grade-III	30 yrs.	i) Hr. Secondary School certificate with Diploma in Education (2 years course) failing which S.S.C. with Diploma in Education (2 yrs. course)	Not applicable	Rs. 4000-6000
8.	Physical Education Teacher	30 years	i) A Degree from a recognised University ii) A Diploma in Physical Education (Old Course) or Diploma in Physical Education from a recognised University;	Not applicable	Rs. 5000-8000
9.	Drawing Teacher	30 years	i) Bachelor's Degree in Fine Art (B.F.A.) from a recognised University; or ii) S.S.C. or equivalent ii) Diploma/Certificate in Art and Drawing from a recognised institution after a full time course of less than 3 yrs. duration, or a part time Course of 5 years duration.	N. A.	Rs. 5000-8000
10.	Music Teacher	30 years	Degree in music from a recognised university with 4 years course or a Diploma in music from a recognised institution with 5 years course subject to it being equivalent to degree course	N. A.	Rs. 5000-8000
11.	Craft Teacher	30 years	Diploma or National certificate in the subject with at least 3 years post S.S.C. full-time training from a recognised institute.	N.A.	Rs. 5000-8000

APPENDIX No. III

Admissible Non-teaching staff and Librarian for Middle, Secondary and Higher Secondary Schools.

(See Rule 136)

a. Non-Ministerial Staff :

1) Schools having pupils upto 200	1 L.I.D.C. Cum-Librarian
2) Schools having pupils over 200 but upto 600.	1 L.I.D.C. 1 L.I.D.C. Cum-Librarian
3) Schools having pupils over 600 but upto 1200.	1 Head Clerk 1 U.D.C. 1 L.I.D.C. Cum-Librarian
4) Schools having pupils over 1200.	1 Head Clerk 2 U.D.C.'s 1 L.D.C. 1 L.I.D.C. Cum-Librarian

(Normally the next post shall be allowed when the enrolment exceeds by 100 over the minimum of the range prescribed)

b. Librarian and Library Attendant in Higher Sec. Schools.

(c). Laboratory Assistant :

1) Secondary school having strength of 120 or more in Std. VIII to X	1 Lab. Asst. provided the cost of Laboratory apparatus is more than Rs.7500/-
2) Higher Secondary Schools having Science faculty	3 Lab. Assts. for 3 Laboratories
(d). Menial Staff	
1) Schools having upto 6 Classes (V-X)	Upto 2 'D' Group posts

2) Schools having more than 6 Classes

1 for every additional set of 6 classes and part thereof excluding the first 6 classes.

3) Schools having less than 100 pupils 1 Post -

4) Each Higher Secondary School will have 1 Night Watchman and in addition, 3 Lab. Attendants where Science wing is attached.

FORM - VIII

Form of Offer of Appointment

(See Rule 151)

No. _____

School _____

Address _____

Dated _____

To

Shri/Smt. _____

Subject: Letter of Offer of Appointment.

Sir/Madam,

This has reference to the subject of appointment for the post of _____ in this school, by direct recruitment/promotion.

In this connection it is to inform you that you have been selected for the appointment against the said post.

Your appointment shall be subject to the following conditions

1. It shall be purely temporary for the period from _____ to _____ against a leave vacancy/purely temporary vacancy.
2. It shall be on probation for the period of _____ year from the date of joining duties.
3. You are required to report on _____ at _____ a.m. on this _____ (date) _____ (time)

school to the Head of the School and submit your joining report alongwith (i) original certificates of academic and professional qualifications (ii) attested copies of each of the certificates (iii) Medical fitness certificate from the Medical/Health Officer from Government Hospital/Health Centre and (iv) two character certificates from two prominent persons such as MLAs, MPs, Headmasters of High Schools, Principals of Higher Secondary Schools/Colleges, Gazetted Officers, District Magistrate etc.

4. You are required to submit to the Head of the School, your letter of acceptance of this offer, so as to reach the office of the school on or before _____

5. In case your letter of acceptance is not received within the stipulated time as above and/or you fail to report to duties on the day as indicated above, this offer of appointment automatically stands cancelled and you will have no further claim for the same.

Yours faithfully,

Signature

(Name and Designation)

* Strike out whichever is not applicable.

FORM - IX

Form of Letter of Appointment

(See Rule 151)

No. _____

Name of the school & _____

Address _____

Date _____

ORDER

Shri/Smt. _____ is appointed as
(Name of the employee)

_____ (designation of the vacancy) _____ (name of the school)

with effect from _____ F.M./A.N. in the
(date of joining the duties)

scale of _____ with basic pay of Rs. _____
(full time scale)
from the day of appointment.

This appointment of Shri/Smt. _____ is purely on temporary basis for the period from _____ to _____ / on
(period to be defined with day, month & year) /
probation for a period of _____ years from the day of appointment and is also subject to the conditions of services under Goa, Daman and Diu School Education Act, 1983 and Rules made thereunder as may be amended from time to time.

This order is issued with concurrence of the School Managing Committee as per their resolution No. _____ in the meeting held on _____

Signature

(Name and Designation)

To

Shri/Smt.

(the employee)

FORM - X

Form of Annual Performance Report of Employees in Recognised Schools (See Rule 157) (I)

Performance Report for the period from _____

PART I (For all employees)

1. Name of the employee _____
2. Designation _____
3. Date of appointment against the present post _____

PART II (For teaching staff only)

1. Subject knowledge _____
(Outstanding, Very good, Good, Fair, Poor)
2. Preparation of lessons _____
(Outstanding, Very Good, Good, Fair, Poor)
3. Use of teaching aids _____
(Outstanding, Very Good, Good, Fair, Poor)
4. Class control and discipline _____
(Outstanding, Very Good, Good, Fair, Poor)
5. Power of expression _____
(Outstanding, Very Good, Good, Fair, Poor)
6. Interest in fresh trends in teaching _____
(Outstanding, Very Good, Good, Fair, Poor)

7. Innovations in teaching learning process _____
(Outstanding, Very Good, Good, Fair, Poor)
8. Desire for improving the self skill _____
(Outstanding, Very Good, Good, Fair, Poor)
9. Quality of home-assignments _____
(Outstanding, Very Good, Good, Fair, Poor)
10. Designing of Evaluation tests _____
(Outstanding, Very Good, Good, Fair, Poor)
11. Interest in co-curricular activities _____
(Outstanding, Very Good, Good, Fair, Poor)

PART III

(For non-teaching staff only)

1. Knowledge of work assigned _____
(Outstanding, Very Good, Good, Fair, Poor)
2. Quality of communication _____
(Outstanding, Very Good, Good, Fair, Poor)
3. Skill of the work assigned _____
(Outstanding, Very Good, Good, Fair, Poor)
4. Speed of disposal _____
(Outstanding, Very Good, Good, Fair, Poor)

PART IV

(For all employees)

1. General intelligence _____
(Outstanding, Very Good, Good, Fair, Poor)
2. Punctuality _____
(Outstanding, Very Good, Good, Fair, Poor)
3. Efforts to attend the duties _____
(Outstanding, Very Good, Good, Fair, Poor)
4. Relationship with others _____
(Outstanding, Very Good, Good, Fair, Poor)
5. Overall grading (with justification)

Place:

Date:

Signature of the
Head of the School

Observations by Reviewing authority

Place:

Date:

Signature

Designation of the Reviewing Authority

Place:

Date:

CounterSignature by Employee

FORM - XI

Form of Last Pay/Discharge Certificate (See Rule 173) (II)

Name of the school _____

Address _____
No. _____

1. Full Name of the Employee _____

2. Designation _____

3. Qualification at the time of leaving
(i) _____
(ii) _____
(iii) _____

4. Whether temporary or permanent _____

5. Details of leave availed _____

6. Time scale at the time of leaving the school _____

7. Basic pay drawn and the day from which drawn _____

8. Date of next increment _____

9. Whether due notice was given when leaving the school/ dismissed after inquiry _____

10. Provident Fund number and name of office maintaining the P.F. account _____

11. Details of other deductions to be made _____

Sr. No.	Deduction for	Monthly amount of deductions	Upto which month deductions made	To whom to be made	Amount in Rupees
---------	---------------	------------------------------	----------------------------------	--------------------	------------------

Period _____
from _____ to _____

Kind of leave _____ Grounds _____

Signature of the Issuing Authority

Place: _____ Name: _____

Date: _____ Designation: _____